Vol. LXXIII, No. 2 August, 1925

The Ecclesiastical Review

Monthly Publication for the Clergy Cum Approbatione Superiorum

CONTENTS

THE NEW SOCIAL CONDITIONS AND PARISH ORGANIZATION 113
The Rev. EDWARD F. GARESCHÉ, S.J , St. Louis University, St. Louis, Missouri.
THE CHURCH AND MODERN DEMOCRACY 124
The Rev. HENRY G. HUGHES, Clifton, Bristol, England.
"PAEDAGOGICA" IN THE LIBRARY OF A PRIEST. 133
The Rev. THOMAS A. HUGHES, S.J., Rome, Italy.
SIR PENNYSLOT 149
PASTOR ANTIQUUS.
DE PRIVILEGIO FORI : Clerical Exemption in Law Courts. 159
The Rev. W. SHARP, S.J., St. Asaph, North Wales.
THE ONE SACRIFICE 172
The Right Rev. ALEXANDER MacDONALD, D.D., Antigonish, N. S., Canada.
THE IMMACULATE CONCEPTION 175
ALBERT REYNAUD, Ph.D., LL.D., New York City.
DE ACTIBUS CONJUGUM QUI DICUNTUR IMPERFECTI 178
FRANCISCUS.
THE MARRIAGE OF DOUBTFULLY BAPTIZED NON-CATHOLICS. A Reply to Father Pruemmer, O.P. 191
The Rev. JOSEPH P. DONOVAN, C.M., J.C.D., Kenrick Seminary, St. Louis, Missouri.
DISPENSATION FROM AFFINITY 197
RECENT THEOLOGY 200
The Rev. FRANCIS J. CONNELL, C.SS R , Esopus, New York.

CONTENTS CONTINUED INSIDE

AMERICAN ECCLESIASTICAL REVIEW

PUBLICATION OFFICE
111-113 E. Chestnut Street
Lancaster, Pa.

THE DOLPHIN PRESS
Philadelphia

GENERAL OFFICES
1305 Arch Street
Philadelphia, Pa.

Copyright, 1925: American Ecclesiastical Review—The Dolphin Press

Subscription Price: United States and Canada, $4.00—Foreign Postage. $1.00 additional

Sole Agents { Great Britain: Burns, Oates & Washbourne, 8 Paternoster Row, London, E. C., 4
Ireland: Catholic Truth Society of Ireland, 24 Upper O'Connell St., Dublin
Australia: W. P. Linehan, 8 Bourke St., Melbourne

Entered, 2 July, 1924, as Second Class Matter, Post Office at Lancaster, Pa., under Act of 3 March, 1879

BROTHERHOOD CORPORATION

L. L. FARRELL (President)

Vineyards:

Washingtonville, Est. 1839
Livermore, California

Address all communications to:

New York Office
71 Barclay Street

Producers of the Finest Altar Wines in America

The Brotherhood is one of the oldest and largest Altar wine houses in this country. We allow no dealers to handle our Altar wines, all shipments being made direct to the Reverend Clergy from our vineyards at Washingtonville, New York.

Mr. L. L. Farrell, the President, has devoted his entire life to the Altar wine industry, and all shipments are made under his personal supervision.

Requests for price lists and application blanks will have prompt attention

FRINK REFLECTORS

Of the Thousands of Churches that Frink has Lighted

DURING the half century that we have specialized in the lighting of churches there are scarcely two in which we have used the same methods.

Each undertaking has been studied and carried out according to its peculiar needs.

But to each, whether a great undertaking, such as the cathedral of St. John the Divine or an inconspicuous small church we have been able to furnish adequate glareless illumination at a price that you would scarcely believe possible.

Would gladly confer with you at any time.

I. P. FRINK Inc.

24th Street and 10th Ave., New York

Representatives in Principal Cities.

CONTENTS CONTINUED

STUDIES AND CONFERENCES:

The One Sacrifice. (*The Right Rev. Alexander MacDonald, D.D., Antigonish, N. S., Canada*) 172
The Immaculate Conception. (*Albert Reynaud, Ph.D., LL.D., New York City*) 175
De Actibus Conjugum qui Dicuntur Imperfecti. (*Franciscus*) 178
The Marriage of Doubtfully Baptized Non-Catholics. (*The Rev. Joseph P. Donovan, C.M., J.C.D., Kenrick Seminary, St. Louis, Mo.*) 191
Administering the Sacrament to Schismatic Children 196
Dispensation from Affinity 197
Reading for Priests. (*J. G. O'N.*) 198

ECCLESIASTICAL LIBRARY TABLE:

Recent Theology. (*The Rev. Francis J. Connell, C.SS.R., Esopus, New York*) 200

CRITICISMS AND NOTES:

O'Toole: The Case Against Evolution 210
Slater: A Manual of Moral Theology 214
Elliott: A Retreat for Nuns 215
Guilday: Introduction to Church History 216

LITERARY CHAT 218

BOOKS RECEIVED 222

The Chaplain of St. Catherine's

By the Author of

"An Ex-Prelate's Meditations," "Pastor Halloft," etc.

"This book will please priests and be a source of undying suggestion to them. Bu it will, probably, please laymen more because it will show them that whilst their priests are rea men they are ensouled with the spirit of their vocation and ever bent on realizing it more fully."

"Something that is the enemy of satire is here played with delicate fingering, in the interests of ecclesiastical perfection. His music not merely catches our ear but touches our soul."--*Blackfriars.*

For sale by all booksellers, or send orders to **$2.00**

American Ecclesiastical Review **1305 Arch Street Philadelphia, Pa.**

ESSENTIALIA PHILOSOPHIAE

Quae in Usum Incipientium Digessit

FRANCISCUS P. SIEGFRIED

in Seminario S. Caroli Borromaei Philadelphiense Professor

Pocket Summary of Catholic Philosophy, giving the essentials of **Logic, Ontology, Cosmology, Psychology, Theodicy, Ethics,** briefly, clearly, in form of question and answer.

All set forth in graphic survey. For students of Philosophy in the Seminary and for maturer students who desire to make a rapid review of their Philosophy.

$1.80 a copy postpaid

American Ecclesiastical Review - - - 1305 Arch Street, Philadelphia

Firms with Episcopal Authorization to Handle Sacred Vessels to Repair Them

BALTIMORE:	**JOHN MURPHY CO.**, Park Avenue and Clay Street.
BOSTON:	**BIGELOW KENNARD & CO.**, 511 Washington Street. **THOS. J. FLYNN & CO.**, 62-64 Essex Street. **MATTHEW F. SHEEHAN COMPANY**, 17 and 19 Beach St. **PATRICK J. GILL**, 387 Washington Street.
CHICAGO:	**BENZIGER BROTHERS**, 205-207 W. Washington Street. (Factory in De Kalb Avenue and Rockwell Place, Brooklyn, N. Y.) **JOHN P. DALEIDEN CO.**, 1530-32 Sedgwick Street. **ECCLESIASTICAL GOODS CO.**, 984 Milwaukee Ave. **D. B. HANSEN & SONS**, 27 N. Franklin Street. **EDWARD J. KOENIG COMPANY**, 1536 North Clark Street. **MATRE & CO.**, 33-35 S. Wells Street. **SPAULDING & CO.**, Michigan Avenue and Van Buren St.
CINCINNATI:	**BENZIGER BROTHERS**, 343 Main Street. (Factory in De Kalb Avenue and Rockwell Place, Brooklyn, N. Y.) **FR. PUSTET CO.**, 436 Main Street.
CLEVELAND:	**NORTHERN OHIO PLATING WORKS**, 1501 Columbus Road.
DENVER:	**JAMES CLARKE CHURCH GOODS HOUSE**, 1638-40 Tremont St.
LOS ANGELES:	**EDWARD J. KOENIG COMPANY**, 1107 South Main Street.
MILWAUKEE:	**BERGS MANUFACTURING CO.**, 483-485 Twenty-seventh Street. **DIEDERICH-SCHAEFER CO.**, 413 Broadway. **A. WERNER**, 649 E. Water Street.
NEW YORK:	**BENZIGER BROTHERS**, 36-38 Barclay Street. (Factory in De Kalb Avenue and Rockwell Place, Brooklyn, N. Y.) **BLASE BENZIGER & CO., INCORPORATED**, 98-100 Park Place. **THE FEELEY CO.**, 10 W. 50th Street. **THE GORHAM COMPANY**, 5th Avenue and 47th Street. **P. J. KENEDY & SONS**, 44 Barclay Street. **FR. PUSTET CO.**, 52 Barclay Street.
OMAHA:	**KOLEY AND SON**, 2910 Farnam Street.
PHILADELPHIA:	**H. L. KILNER, & CO.**, 1708 Market Street. **J. J. McDERMOTT**, Room 818, 1011 Chestnut Street. **LOUIS J. MEYER, INCORPORATED**, 804 Walnut Street. **F. C. PÉQUIGNOT**, 1331 Walnut Street. **HERMAN J. WOLF**, 539-543 W. Huntingdon Street. **WRIGHT MANUFACTURING CO.**, 127-35 Master Street.
PITTSBURGH:	**E. J. LETZKUS**, 2006 Jenkins Arcade.
PROVIDENCE:	**W. J. FEELEY CO.**, 139 Baker St. **THE GORHAM COMPANY**, Elmwood. **W. J. SULLIVAN CO.**, 96 Jefferson Street.
SEATTLE:	**THE KAUFER CO.**, 1607 Fourth Avenue.
ST. LOUIS:	**B. HERDER BOOK CO.**, 17 South Broadway. **MUELLER PLATING CO.**, 920 Pine St., Imperial Bldg.
ST. PAUL:	**E. M. LOHMANN CO.**, 385 St. Peter St.

THE ECCLESIASTICAL REVIEW

EIGHTH SERIES.—VOL. III.—(LXXIII).—AUGUST, 1925.—NO. 2.

THE NEW SOCIAL CONDITIONS AND PARISH ORGANIZATION.

THE cure of souls has always been an arduous occupation. In fact any supernatural work requires constant effort. But in our time, as experienced pastors well know, it is harder than ever to reach adequately all the people. It is true that our American Catholics are splendidly responsive to their priests and it is consoling to see the number of their communions and their many good works. Observant and thoughtful priests, however, constantly realize that outside the circle of practical Catholics there is a wide, vague, ring of fallen-aways and ought-to-bes, who are seldom reached by present methods of parish organization.

Add to this that we have a commandment to preach the Gospel to all mankind. The fire which Christ came to cast on the earth, what wills He, but that it be kindled? "Going, teach all nations," is a command as urgent as when it was uttered to the Apostles. To seek and to find the sheep that are lost is a work as dear now as it was nineteen centuries ago, to the Heart of Christ.

Our people themselves, let us observe once more, move and change residence with a swiftness that is disconcerting. Parishes which half a century ago would have been stable and permanent in their population, now change their face every half year, almost every fortnight. Young men and women travel over the face of the country in droves, looking for new occupations, excitement, better wages, sometimes merely for change. Even the elders have a nomadic spirit and wander this way and that from parish to parish.

Then, there is the multiplicity of amusements, of secular clubs, of interests and distractions unknown to an earlier and simpler day. The methods of parish organization which were entirely adequate half a century ago, will break down before this extraordinary change of conditions. If we are to meet modern needs, we must develop new ways of reaching and holding the people. Almost every priest actively engaged in parish work realizes these things. The question is, just what is to be done in order to meet the demand of changed conditions.

It is clear enough that no novel or revolutionary methods are in order in parish organization. What we have to do is to take existing means and develop and perfect them by adapting them to new conditions. This is always the way of the Church. She adjusts herself slowly to new circumstances, proving each step. Already, comparing decade with decade, we can see a decided advance along the lines of parish organization. It will be a real service to the devoted priests in our parishes to discuss the ways and means in which this advance may be guided and furthered.

THE NEEDED ORGANIZATION.

The organization we need in parishes at the present time must be predominantly religious and spiritual, but must have a strong social and even philanthropic side. It must be characteristically religious and Catholic, because only on this side can we hold our people. They all agree in being Catholics and in nothing else in the world. Any other bond but the religious one will fail in time, while the religious link wears well through the years and centuries.

But the social side and altruistic aspect of the parish organization becomes also more and more important. One reason for this is that social organization and work for others are in the air and that our Catholic people are being constantly reminded by the activities of others of the need for such work among themselves. They will never be entirely satisfied until Catholic social and charitable activities are quite up to the mark of any others. In fact they are right in this, because Christ brought into the world a new commandment of Love, and the example of the first Christians, as we have it in the Acts of the Apostles and in tradition, points to the absolute

necessity of social and charitable organizations, if we are to carry out fully the spirit and commandments of Christ concerning brotherly charity and helpfulness.

It sometimes happens that we look far off for a solution of a problem when the real answer lies just at our door. It is useless to invent new societies and hope to give them universal acceptance. They may flourish here and there, but the natural conservatism of our parishes will keep them from being generally accepted. Nor in fact is there any need to establish new organizations if the existing ones can carry the load. In point of fact we have already in our parishes ample material in the way of societies and organizations to meet every need of the times, if only they are thoroughly worked over, so to say, and carefully directed, so as to do the things that most need to be done.

The first step in this procedure would seem to be to determine and agree upon, so far as possible, what are the most necessary things to undertake through parish organization, besides what is already being accomplished. Some practical discussion along these lines will, we think, be welcome and interesting to every parish priest. It is extremely useful, from time to time, to rise above the forest of details, of immediate necessities, the multiplicity of present occupations and to survey the whole landscape of parochial effort. When we travel on a wooded plain, we may sometimes not be quite sure of our direction. But to get up on some high hill, above the topmost branches of the trees, and take wide, sweeping glances over the whole country through which we are traveling, helps wonderfully to the journey.

What are the Wider Needs?

Supposing, then, that the existing societies in the parish, the Sodalities of various kinds, the special groups of a more limited purpose, all the usual array of parish organizations, are to be further developed to meet wider needs. Just precisely what are those wider needs and how can they be met practically under present circumstances? The question is a broad one, but it will be interesting to attempt to answer it.

If we were to be required to state briefly the further needs for parish work, might they not be put in this wise? We need

to keep effectually those whom we have, and to gain those whom we have not, to the bosom of the Church. Our first duty is, of course, to the faithful flock about us who go to form the visible Church. "Feed My lambs, feed My sheep!" This commandment of Christ must ring in the ears of every shepherd of souls. But next, to our utmost ability, we must go forth and seek to bring into the fold those who wander without, to seek the sheep that are lost, and to bring the light of the Faith to every sincere and well-meaning soul that wanders far from the warmth and peace and plenty of its Father's home.

This terse statement contains the germs of many fruitful reflections. Just how far are our parish organizations, as at present constituted, proving effective for this two-fold purpose? In just what ways may they be made more and more competent to achieve it? For, like everything human, our present system is capable of improvement and zealous priests everywhere are becoming more and more aware of the perfectibility, so to say, of the existing methods.

We may take it for granted that the priest, under present conditions, needs, if he can obtain it effectively, the help of parish societies to meet the double need above referred to. The very multiplication of societies is a proof of the awareness of such a need. Reflect a moment on the conditions in most modern parishes and say whether any group of priests, without organization, can meet them. Some pastors of the older school, good men and true, do indeed consider that their pastoral visitation and personal contact with their people are enough without organization. But they come in touch only with the good or at least the faithful. What of the numbers in each parish who have to be sought after, who are coy and shy and do not wish the ministrations of the priest? The more these lost ones drift into indifference, the less likely they are ever to approach the priest. Even in his visits they will elude him. He may be indeed quite unconscious of their existence. We have come on instance after instance where priests have been astonished at some sudden revelation of the number of fallen-aways and ought-to-bes, of Catholics who have never been married according to the rites of the Church, of unbaptized children and still more of uninstructed little ones which some parish cataclysm has revealed.

Let us turn our attention, then, first to the task of keeping faithful those who are now good Catholics, or who at least are members of the visible Church. Is there need of more organization to effect this purpose? For answer let us look squarely at things as they are.

The Divisions of the Faithful.

We may roughly divide the faithful into the mature and the immature, that is, into those whose formation of character, general education and Catholic instruction have been completed, and those who have not yet reached this stage. The mature and well-instructed Catholics give the priest the least anxiety, and the most consolation. They are fixed in the right way and seldom stray from it. They form the support of parishes, the mainstay of the Church. So far as their personal perseverance is concerned, it is, humanly speaking, secure.

Yet even this class may very well give anxiety to the priest from the point of view of their helpfulness to others. They so often seem to have little or no realization of their duties and opportunities of spreading the faith which they cherish themselves and of helping to safeguard the threatened innocence of the young or to instruct those less fortunate than they. From the standpoint of personal goodness, they are admirable. From the viewpoint of helpfulness to others, of active zeal and charity, they are sometimes deplorably deficient. They decidedly need organization, not to keep them in the Faith, but to stir them up to work for others and fulfill the great commandment of charity. Otherwise the burdens of the parish, so far as lay activity is concerned, will still rest on the shoulders of the very few.

When we turn to the immature among the faithful, we see also a great need for organization to keep them from bad influences and make them steadfast in Catholic practice. The priest in the parish, constantly in contact with the best of his flock, surrounded with appreciation and goodness, sometimes does not realize the number of young folk who are dropping away permanently or for a time from Catholic practice. Each year a precious throng of children graduate from the parish schools and the Catholic high schools. By ten of thousands they go out into the world after having received devoted care

and teaching for years. What happens to them? Ask that question of the priest, of the Sisters in school, even of the parishioners. In many instances, of course, the whole career of the child is known. When it left school, there began a consistent Catholic life, a following out of good training, which keeps the child in close touch with Catholic influences and brings it safe to the haven of religion, the priesthood, or a devout family life which is the vestibule to heaven.

These good and faithful graduates are so numerous and so consoling that they sometimes cause the priest or the teacher to forget the existence of other shadowy uncertainties who were once as dear and familiar, as well known and cherished, as were those happier graduates who persevered. There was John this, and Mary that—what has become of them? They were pupils like the rest, were taken care of faithfully to the very threshold of active life and were dismissed with the same blessing as the others. But whereas the care of the school ceased at graduation, the world, the flesh and the devil only multiplied their activities after school was over. These poor little skiffs succumbed to the storm, and if you could follow them to the end what sad and pitiful wrecks you would find cast up on the pitiless shores!

Not long ago, we heard the tale of a certain teacher in a parish school, a man who had for years kept the same place and and had seen boys grow older and finish and go out into the world, year after year. He grew weary of teaching and took a post in a great penitentiary, in the same state where he had been teaching. What was his consternation and distress, when he came to scan the faces of the convicts, to see man after man whose features he remembered only too well as innocent lads on the benches of school.

These poor lads were among those, no doubt, concerning whom their teachers would have had to say, if asked of their whereabouts, "I do not know where they are. You see, some of them go out and we lose track of them." The ones of whom we lose track are precisely those concerning whom we have most cause for solicitude. Because we lose track of them, they often stray far from the paths of their youth. Yet, who can keep in touch with so many without special organization? It is impossible for any small group of men, however zealous, to

accomplish by themselves what could be done with comparative ease, by a well-organized body.

The Power of Organization.

Those outside the Church have very deftly employed the power of organization to keep in touch with the young folk. They lack, it is true, the spiritual power which is ours, but how remarkably they employ the power of organization. The two must go hand-in-hand if we are to do our own work in this age. We all agree that God does not promise miracles; nor is His ordinary Providence based on constant interference with natural causes. He gives us all the means to do our work and supplies the interior graces that are needful. Then, giving us likewise the efficacy of organization, He expects us to use the due and obvious methods of organized effort to achieve the work He wills. At the present time it is said by students of the matter that some ninety per cent of the non-Catholic children of the country are organized in various ways for their protection and guidance. The same observers declare that only ten per cent of our Catholic children are organized and ninety per cent are still unprotected in this effective way. Yet it is we and not they who have most to lose through lack of organization, most to fear from a failure to utilize this mighty instrument of perseverance.

If it be true that the very graduates of our Catholic schools need organization to tide them over the dangerous age and fortify them in their Faith and practice, what shall we say of those other multitudes of children who should be Catholic, the offspring of Catholic parents, many of them baptized in the Catholic Church, but who are so under-advantaged, as the term is, and so poorly instructed in their religion as to be exposed to the most direful peril both of morals and of Faith? To the heart of the priest what is more excruciating than the thought that so many innocent children, the precious inheritance of the Church, the treasures of the Heart of Christ, are yearly and daily being spoiled, ruined, led astray for want of the minimum of instruction and guidance which could be supplied to them through organized efforts?

Walk through the swarming populations of the slums and see how many Catholic children will greet the priest. Ques-

tion them, and discover, if it be a discovery, how little they know about the religion they profess. Observe that the very ones who have least chance at home to learn their religion well, may be the very ones who have to go to public schools where no religion may enter in. What words can express the calamity of the loss of one child to the Faith? Yet, there rings in our ears that saying of an observant, experienced, thoughtful member of the hierarchy who once remarked to us, in talking over these conditions, "Father, if we could keep our own Catholic children, all of them, we should inherit the land in a few generations."

Granted that every priest and Sister in the land toiled to the utmost of physical strength and endurance, could they, under present conditions, reach and instruct and save the multitude of under-advantaged Catholic children? Surely not, unless by the aid of effective organization of the laity. The more one studies modern conditions, the more the truth comes home that individual effort, however zealous, breaks down before modern difficulties. The same changed circumstances of the times which have driven business, amusement, politics, literature, even bigotry, to organize, must necessarily require the organization of religious work as well. The Church is indeed guaranteed a life to the end of the ages, but the extent of that life, or rather the number of those who enjoy it, depends much on human effort. The weal or woe of many souls rests on the organized efforts we make to save them.

I shall have something to say later on about the character and nature of the organization that the times seem to demand of us. But let us for the present pursue these reflections and scrutinize the need of organization for the benefit of those young folk who have got beyond the time of childhood, but are wandering up and down the land or living in strange neighborhoods, aloof from Catholic influence and association. The number of these is much greater, it would seem, than many priests realize. Students of conditions among young people in many places declare that very many young men who should be Catholics have abandoned all practice of their religion. Indeed, this is in a sense natural when we consider our human weakness and the unfavorable circumstances of the day. Indifference to religion is in the air. Distracting amusements,

keen temptations, bad company, allurements of various kinds, tempt our young folk away from Catholic practice. At the same time, the very ones who are most tempted are likely, under present circumstances, to receive least help to resist. They are lonely, so far as Catholic influence goes. The priest never touches them in his rounds of the parish. Only effective organization can reach and hold them, and so long as this is wanting, they will continue to drift farther and farther and in greater numbers from the Church.

How large is the multitude of fallen-away Catholics we can at present only conjecture, but disquieting circumstances come to notice from time to time. A very little while ago, a priest who has been conducting of late a boarding home for young men, remarked to us that in one year twenty-three hundred young men applied to him for lodging. Of these some 150 were non-Catholics, and some 300 were faithful to the practice of their religion. All the rest, to the number of about 1750, had strayed away from the Church and had ceased to be practical Catholics. Such a definite instance would of itself give cause for disquiet. But it does not stand alone. Another priest told the writer that half of the young men of his parish who should be Catholics did not come to church on Sundays, and when surprise was expressed at such a proportion of delinquents, he declared that if the truth were known such a condition is not uncommon in parishes.

It is a very usual remark that too large a proportion of the population of our prisons and penitentiaries, not to say reformatories and workhouses, are Catholics; and, making every allowance for deceit and false registration, there can be no doubt that the number is unfortunately great. Analyze these instances and in many cases you will find that the reason of the delinquency is a want of good training and good influence in youth. How can we supply this to such a multitude save by means of organization?

A Long Road Still to Travel.

If any one objects that even with organization we never could meet the greatness of the need, perhaps he has not fully estimated the power of organized effort. In a certain sense, we may almost say that the right sort of organization can accom-

plish anything that is humanly possible. At least, the more we perfect our methods the better results we will achieve, and the first blame for lack of right results may justly be put on a want of the proper organization. This much is certain, that with our present system we do not begin to exhaust the possibility of organized effort. Compare our means of reaching and influencing young people in an organized way with those of non-Catholics. Yet even these latter are by no means ideal. Had we a spirit of activity and energy to study methods and achieve results in proportion to the greatness of our cause and the preciousness of our Faith, we could outstrip the achievements of those outside the Church.

These things are said, not in criticism, but by way of calling attention to the great field before us. The work of the clergy in the United States has been sublime in its fruitfulness, and with the aid of our devoted laity they have built up a system of parishes and schools extraordinary in extent and efficiency. Nevertheless, the work is not all done and never will be completed until we put the same thought and energy into the organizing of our forces for these further ends of which we speak.

It is quite probable that nearly every priest who reads these lines will agree with the general assertion that more organization is necessary in our parishes to meet the needs of which we are speaking. There may be, indeed there will be, differences of opinion as to what form this should take and of what methods it should make use. But the student of modern conditions cannot avoid the conclusion that we must go forward in our efforts to find new methods for new needs or for old needs that have taken on a new form and significance. Once we have admitted this, and have considered the seriousness of the issues at stake, our conscience will urge us to do whatever is possible to meet a necessity which becomes every day more evident.

It is almost emphasizing the obvious to say that the way to find the right organization is by studying conditions, by observing the experiments already made, both within and without the Church, and then doing our best to propose a plan which, though not ideal, seems honestly possible and practicable under the circumstances. Then, by the exchange of experiences, by modifying methods and adjusting plans to fit conditions, we can gradually arise to a greater and greater per-

fection. The very fact that more and more interest is being shown in parish organization gives promise of improvement; slowly but effectively, the Catholic body is reacting to the need of the times, making trial of new ways and developing the old ones, learning by failures as well as by successes. In this or that locality it might seem that no great progress has been made in the last twenty years. Yet, taking the entire total of Catholic action, it must be clear to anyone that the work of the laity is becoming more and more important and, in a sense, better and better organized. We can hasten or retard this movement by individual influence and effort, but we can never check it if it is in the designs of God's Providence and necessary for the good of the Church. Every one will wish to do his utmost to contribute to the sum of effort which the time requires.

If there are not a few who are discouraged about the possibilities of lay organization in a parish, perhaps it is because they expect too much and undervalue what is actually being accomplished. Looking at our needs and the greatness of the field before us, it does indeed seem at times that we are doing little. Still, that little is precious and contains in itself the possibility of much greater things to come. Besides, religious work is very often a triumph of failure. It gets forward under difficulty; it slips back a step for every two steps onward. But it goes on for all that, and its progress is the more glorious because it works so often against the downward pull of human nature. We can be satisfied to expend much labor for results which seem small in time when we know that these results will outlast eternity.

Finally, let us repeat, the task at hand is not to discover new societies nor to introduce sudden departures from present ways of parish organization. Rather we must utilize what already exists, employ the approved societies, give them better encouragement, more effective ways of action and stimulate them to undertake the things of greater moment. This is a far more hopeful task than if we had to devise some new and untried means of organization.

Local conditions will, besides, always introduce into the plans of parish organization some element of variety. It is true, the general needs are identical; but they must be met in a diversity of ways in the city and the country parish, in the parish made

up of well-to-do people and the one composed chiefly of the very poor. In the one as in the other, however, much can be done through the right kind of organization. Experience proves it and common sense declares it.

We shall defer to another occasion the discussion of the best means of parish organization as evidenced by the various experiences of parish priests. It would be a fruitful and interesting study indeed to combine and synopsize the results of the many efforts in many places to bring parish organization up to the level of local needs. At first sight, indeed, it might seem almost impossible to combine and conciliate the results of so many different experiences. I trust, however, to establish certain general conclusions which will at least be provocative of thought and help to clarify if but a little the reaches of so great and so important a subject as that of parish organization.

EDWARD F. GARESCHÉ, S.J.

St. Louis, Missouri.

THE CHURCH AND MODERN DEMOCRACY.

WHAT IS DEMOCRACY?

IN discussing the attitude of the Catholic Church to the great democratic movement of modern times, we must first be clear as to what we mean by democracy. It is unnecessary to say that the word is not used here in any party sense. Democracy is a world-wide and also an age-long movement having at the same time both social and political aims.

On the political side democracy may be described as the movement which aims at giving the people at large, and particularly those who are sometimes called "the lower orders", a due share of influence in matters political, social, and economic. At the present time the attention of democrats is largely concentrated on the problem of finding a way by which the workers may enjoy a reasonable share in the direction, and also in the profits, of the industrial enterprises in which their labor is so essential an element.

These objects democracy seeks to attain by political means, such as the reform or extension of the franchise, the adoption of a system of government that shall give the people a real and effective share in their own government, with constitutional

means of expressing and rendering effectual their will in legislation and other matters of State.

On its social side democracy aims at "the uplifting of mankind toward the goal of individual and social freedom, of self-realization, of material, moral, and social progress." The fundamental ideas of true Democracy "comprise personal and social liberty, equality of justice, love of the brotherhood."[1]

It is obvious that, although a distinction can thus be drawn between the social and political activities of the democratic movement, at the same time these must to a certain extent overlap. The enunciation of right principles is not always enough to ensure their being reduced to practice: hence the necessity of legislation, of State action, which brings democracy into the political field.

It can be said at once that the Church, from the beginning of her history until now, has worked unceasingly and with great effect on behalf of what I have called the social aims of democracy. This fact is written plainly in the pages of history. As Father Day says, "With such ideas the Christian spirit and Christian teaching cannot but be in entire accord".

It is undeniable that the more the spirit and teaching of the Church succeed in permeating the minds of men, the more effectively will the social aims of essential democracy be attained. Nevertheless, living as we do in this world, and not yet with the Angels in Heaven, we cannot dispense with political means of reaching the ideal which true democracy puts before us.

Political Democracy and the Church.

Repeating, for the avoidance of any possible misconception, that "political democracy" here has nothing to do with any party designation, we may say that it is chiefly in regard to the political element in democracy that the anxious question arises of the relations between the Church and the popular movements of modern times, and of the attitude which Catholics, following the lead of the Church, ought to take up toward them.

As the moral teacher of mankind, the Church cannot refrain from giving her guidance, by precept and by warning, by recalling to men's minds the maxims of the Gospel and the prin-

[1] *Catholic Democracy, Individualism and Socialism*, by the Rev. H. C. Day, S.J., London, 1914, pp. 2-3.

ciples of natural law, in matters coming within the sphere of politics, which, no more than any other department of human life, can safely dispense with the teachings of Christian morality. "If I did not believe", said the late President Wilson in his address on Independence Day in 1914, "that the moral judgment would be the final judgment in the minds of men as well as the tribunal of God, I could not believe in popular government." If that unexceptionable statement had always been powerful in the minds of politicians, there would have been less reason for the question here being discussed.

However, the question is actual. People want to know, not only what the Church has done and is doing in her own special sphere for the uplifting of the people and the amelioration of their lot, but whether, and to what extent, she favors democratic institutions in the realm of politics.

In the troubled revolutionary days of the end of the eighteenth and the first half of the nineteenth century, the idea got abroad, and is not yet entirely obsolete, that the Church is always on the side of the powerful—of autocratic rulers and grasping capitalists. There is still need, therefore, of repudiating this mistaken notion; of recalling the fact that the Church approves any form of legitimate government; that she makes legitimacy consist in the choice, at least tacit or interpretative, of the people; that by her teaching as expounded by approved theologians like St. Thomas Aquinas, a ruler loses his authority when he becomes a tyrant; that she has always held and taught that a man's wealth is not absolutely his, "to do what he likes with it", but is held in trust for the benefit of the community as well as his own.

Non-Catholics have not failed in our times to recognize a democratic element in the teaching and practice of the Catholic Church, and the utterances of "the People's Pope", Leo XIII, have been welcomed by democrats themselves as notably imbued with democratic sentiments. The welcome accorded to the Encyclical *Rerum novarum,* writes Father Day,[2] "was as sincere as it was enthusiastic, and it was bestowed by politicians, preachers, and writers of various sects and schools of thought, who had this only in common, that they did not belong to the Catholic Church. . . . The Anglican *Guardian* . . .

[2] Op. cit., p. 8.

spoke in the highest terms of the Encyclical, which it described as 'siding with the working classes in a wise and moderate spirit, and with a constant care to distinguish legitimate claims from those which are extravagant, and are set up only in the pretended interest of the working people.' . . . The late (Anglican) Bishop of Manchester, Dr. Moorhouse, praised the wise foresight and the vast depth of knowledge revealed in the Encyclical, and added the memorable words: 'The Pope has put his finger on the sore part of our social system, and either his word must be listened to or the world will have to expiate its neglect by terrible calamities.'"

In France and Germany a similar welcome was given to the Papal utterance by men of all schools of sociology, including Socialists. M. Anatole Leroy-Beaulieu wrote that "the Pope has shown that he has the spirit of his age, and without useless theorizing he has gone straight to the people and dealt with the subject that is deepest in their hearts—democracy."[3]

Undoubtedly it would be a mistake, and one likely to lead to misconceptions all the more dangerous because of the inevitable disillusionment which must follow, to suppose that the Church holds up a democratic form of government and democratic political institutions in general as implied in the law of nature or as always and everywhere the best for the race. The particular theory of the origin of civil power held by Suarez[4] seems to be open to the objection that it makes democracy the original form of political constitution flowing from natural law, and therefore Divinely ordained, while at the same time changeable, and in the more primitive stages of the formation of a State, almost inevitably changed in favor of a more autocratic rule. Nevertheless, though the Church does not hold up any form of political constitution as ordained of God, it can be maintained with abundant evidence that the aims of true democracy, of political democracy when it is true to itself, the betterment, that is, of the lot of the people at large, insistence on those natural rights and equalities which neither rank nor riches can abolish, the spread and maintenance of the spirit of brotherhood among all classes, are and always have been the

[3] Fr. Day, op. cit., p. 10.

[4] See article on "Catholic Theology and the Sovereignty of the People," ECCLESIASTICAL REVIEW, September, 1924.

aims of the Church, which, indeed, has kept them alive and successfully put them to the test of practice, when but for her they would have been entirely forgotten. In addition to this, the Church leaves her theologians and teachers perfectly free to maintain, as a thesis in political philosophy, that democracy, if not of Divine ordination, is the natural term of an evolution which no more than the rest of man's history is withdrawn from the action of Divine Providence, and that democratic institutions are best for men when men themselves are at their best.

"We are supposed to be a democracy," writes Father Joseph Keating, S.J., in the *Dublin Review* (April-June, 1919), "and the democratic ideal assumes that every citizen is equal before the law and is consulted in the framing of the law. He is governed in such and such a way, not only because some government is necessary for life in society, but because this particular government has his consent. It cannot, I think, be disputed that, taking account of man's essential dignity as a rational creature and especially of his highest prerogative—his liberty or power of self-determination, this form of government is theoretically the best."

Christian Democracy.

It is not the business of the Catholic Church, as a Church, to prescribe what political forms will best secure the aims of essential democracy. She leaves that to the peoples, whose rights of choice she recognizes in fullest measure. Nevertheless, a great movement has sprung up and is in full force in the Church for the furtherance of the social, as distinguished from the political aims of democracy. I refer to the movement known as Christian Democracy, which has been taken up and urged forward by the supreme authority.

The Papal Encyclical *Graves de communi,* which appeared ten years after the *Rerum novarum,* dealt directly with the subject of Christian Democracy, accurately defining its meaning and limits. "Christian Democracy, according to the Pope, is an organized social movement based on the principles and ideals of Catholic faith and practice, and conducted under the guidance of ecclesiastical authority, to help the poor and the working classes. It is exclusively social and entirely Catholic. Therefore, whilst embracing the whole of Catholic theory and

practice in the sphere of social justice and beneficence, it has no extension into the field of purely party politics."[5]

Contrasting Christian Democracy with "Social Democracy" or Socialism, the Encyclical says: "What Social Democracy means, and what Christian Democracy ought to mean, does not admit of doubt. The former, more or less extreme, as the case may be, is by many carried to such wicked extravagance as to reckon human satisfaction supreme, and to acknowledge nothing higher; to pursue bodily and natural goods only, and to make the whole happiness of man consist in attaining and enjoying them. Such persons would place the supreme power of the State indiscriminately in the hands of the masses of the people. Moreover, they would abolish all distinctions of rank, and make all citizens equal, in order that all might equally have access to the good things of life. They would likewise do away with ownership, confiscate private fortunes, and socialize the instruments of labor. But Christian Democracy ought to have as its foundation the principles laid down by Divine faith, having regard, indeed, to the temporal advantage of the poorer and less educated, but designing to fit their minds for the enjoyment of things eternal. Accordingly, to Christian Democracy let there be nothing more sacred than law and right; let it bid the right of having and holding to be kept inviolate; let it maintain the diversity of ranks, which properly belongs to a well-ordered State; in fine, let it prefer for human society that form and character which its Divine Author has imposed upon it. Clearly, therefore, Social Democracy and Christian Democracy can have nothing in common; the difference between them is no less than the difference between the sectarianism of Socialism and the profession of the Christian law."

Again, "Far be it from anyone to pervert the name of Christian Democracy to political ends. For although Democracy, by its very name and by philosophical usage, denotes popular rule, yet in this application it must be employed altogether without its political significance, so as to denote nothing whatever besides this beneficent action upon the people." Then the Pope goes on, in words already quoted in a former article, to declare that the principles of natural morality are above the vicissitudes of forms of government, which may and do change.

[5] Father Day, op. cit., pp. 11-12.

The Holy Father pointed out two other dangers which Christian Democracy must avoid: "Just in the same way must Christian Democracy avoid another ground of offence, which arises from paying so much regard to the interests of the poorer and weaker classes as to seem to overlook the wealthier and more powerful, who are nevertheless of equal importance to the preservation and development of the State. The Christian law of Charity . . . forbids this."

Then follows a warning against the danger of introducing into the Christian movement elements of disloyalty toward legitimately constituted governments: "God forbid that under the name of Christian Democracy should lie the surreptitious aim of throwing off all obedience and turning away from those in lawful authority. The law of nature, no less than that of Christ, enjoins respect for all such as in their several degrees hold office in the State, and further enjoins obedience to their lawful commands."

The reader might justly ask here whether Christian Democracy, as the Pope describes it, has anything at all to do with that world-wide movement referred to in the definition of democracy given at the beginning of this article. It is largely the Church's attitude to the political side of this movement that we are discussing. If the words of Pope Leo have any bearing on the political question at all, they would seem to call upon Catholics to dissociate themselves altogether from it. Moreover, several of the avowed aims of modern democracy are roundly condemned by the Holy Father.

THE REAL SITUATION.

I would reply, answering the last difficulty first, that what the Pope condemns are the excesses of democracy. Democracy itself as a political system and in the sense in which we have defined it, is certainly not condemned. Enough was quoted, in my two preceding articles, from Papal utterances, to show that the Church considers democratic institutions perfectly right for those who desire them, and that people are quite free to chose them if they will. Nothing essential to true and sane Democracy is reprobated. Socialism and Communism, the attempt to bring about an unnatural and impossible leveling of all to the same condition, the abolition of that hierarchy of

rulers and ruled which civil society demands for its very existence, the establishment of the "Dictatorship of the Proletariat", with its consequent enslaving of other classes, and, in actuality, as recent events have shown, of the proletariat itself —these things are condemned, but not democracy. In the light of the general teaching of the Church and the doctrines of approved theologians, sufficiently set forth in previous articles, not the widest participation of the people in the government of themselves can be supposed to be visited with the least disapprobation. Nor can Pope Leo be thought here to condemn the opinions, held and taught for centuries by the greatest theologians, such as Suarez, the Blessed Robert Bellarmine, De Lugo, Vasquez, and, before them all, St. Thomas of Aquin, which give to the people a real sovereignty in the sense explained in a former paper.

As for the Papal directions for the conduct of Christian Democracy, it is to be remembered that they were given for the guidance of a purely Catholic movement, one of those movements constantly seen throughout the Church's history, by which, on the principle that God helps those who help themselves, and not waiting for the slow and often unwilling action of statesmen, she sets about her work of amelioration on the lines of the Gospel. To mix this with party politics would be to condemn her efforts beforehand to failure. A Catholic is not forbidden as a citizen to do all he can to further democracy in the political sphere. He is told not to mingle his politics, particularly his party politics, with the Christian Democratic movement. For all that, the ideals of Christian Democracy as set forth by "the People's Pope", are a grand lesson for all who have the political direction of affairs in any country.

We may say, too, that democracy itself, regarded as a world movement and including its political aims, of its nature largely transcends political parties, as is shown by the fact that rival parties will claim to have the purest democratic ideals.

This is a further reason why Catholics, in their capacity as citizens, can throw themselves heartily into the work of advocating and promoting democratic action. The more this is done by men who are imbued with right principles, the more effectually will the false notions of democracy, a legacy from Rousseau and his kind, be eliminated from the democratic movement of to-day.

To conclude, it seems perfectly safe to say, on a general view, that the Catholic Church is entirely favorable to democracy considered in its essentials and purged from the false principles that have been interpolated into its program. Do away with the error that the people is the sole, original, and highest source of authority, recognize the law of God as supreme over States and State law, abolish the idea that what is enacted by law, or what a majority of the people will is necessarily and always right, with a right of enforcement against which there is no appeal either of conscience or of the rights of minorities or individuals, and democracy thus purified will arouse no opposition, but generous encouragement, from the Church.

Yet, when all is said, the unhappy fact remains that the perfect democracy is still far off. "When all those whose interests are concerned share in framing and administering the law, conceived by them in the interests of all, then we have pure democracy. It presupposes intelligence, good will and honesty in the citizens and a substantial unity of purpose amongst all sections of the State. That said, one need say no more as to the immediate prospects of perfect democracy amongst us. . . . The heel of an aristocracy may no longer threaten, but what about the plutocracy?"[6]

For Catholics, a note of optimism is both necessary and justified: necessary, because discouragement is of all things the greatest hindrance to accomplishment; justified, because in Catholic principles we have an effective remedy at hand for the purification of democracy from the poison of false ideals.

While there is cause for grave anxiety on the part of all who have at heart the cause alike of the people and of the Church, as to what will be the ultimate outcome of the conflict that exists and must go on between Christianity and the false principles which have unnecessarily been brought into the idea of democracy, we have no reason to despair.

Here, as in other ways, the United States of America hold out a great lesson and a great hope to the people of the old world—the lesson that the Church can flourish, and nowhere better, under democratic institutions, and the Church's rulers and prelates, without the least sacrifice of Catholic principles, heartily lend their aid to the encouragement and forwarding

[6] Fr. Keating, *Dublin Review*, loc. cit.

of democratic ideals; the hope that there may be exhibited to the world in the great Republic of the West the settlement of a quarrel which ought to have been unnecessary and has lasted too long—the quarrel between truth, philosophical, historical, and Christian, and the false teachings that have usurped the name of democracy.

The greatest danger of our times lies in the grasping spirit which leads both individuals and nations to make acquisitions of wealth and power at whatever cost and in total disregard of the needs and rights of others. Against this evil, democrats of all schools are united in protest; and it is there that we may find a point of contact with those whose errors we deplore, which will help us to get a hearing for the message which, as Catholics, we have to deliver.

H. G. HUGHES.

Clifton, Bristol, England.

"PAEDAGOGICA" IN THE LIBRARY OF A PRIEST.[1]

I. INTRODUCTION TO LISTS OF BOOKS.
II. FIRST CLASS: SANA.
III. SECOND CLASS: NON SANA.
IV. THIRD CLASS: INSANA.
V. SIGNS, BRANDS AND EAR-MARKS OF THE TWO LATTER CLASSES.
VI. AN EMPTY SHELF.

I. INTRODUCTION TO LISTS OF WORKS.

1. THE department of Pedagogy in a library is not altogether new. We have books and authors of all ages. There are Plato and Quintilian; there are the Fathers of the Church in many treatises, and the founders of Orders in many constitutions. The name, Pedagogy, may not figure very conspicuously in the older books of this department. But, short of the name, the thing is there. It is not altogether new, in substance.

Besides the thing itself, there is its quantity and its quality. In this respect, the quantity which has appeared during the

[1] See previous articles on "The Library of a Priest", in May and July numbers of this year.

last generation or two is novel to a degree. No fifty years in the history of the world ever produced such a mass of pedagogical literature. Then the quality of its thoughts, its methods and its manner, give it the palm for novelty. No wonder the educational psychologists told us that "the greater part of the psychology written more than thirty-five years ago is now practically worthless from a teacher's point of view."[2]

And, as to the practical results, the President of Harvard has informed us that no branch of instruction is taught now as it was some time ago.

This is the prime feature, which strikes me at first sight, in the recent portion of the pedagogical department; the literature is so very new. Far from having any connexion with the old, it starts into existence with such abruptness as if a first principle of its being were to have nothing whatever to do with anything that went before. It does not join on with the old set at all. Whence it comes, (whether from a chasm of disagreement prepense with everything Catholic and Protestant, such as governed the world before, or from a private chaos of its own—a kind of pedagogical bewilderment) I do not pause at the present moment to discuss. I merely note the gap between the present and the past.

Here is a book more than three hundred years old. It expounds pedagogy, the art and the science alike; and it does so with what seems to my limited ken to be accuracy, amplitude and an abounding wealth of erudition. It is calm and clear. I break through the spell of its wisdom and spirit myself away, across the unaccountable gap, to my acquaintance in this latter half of the nineteenth century. What do I find? My pedagogues are discussing the first elements of education; they are dissecting mind, memory and that strange thing called "a child." All the neighbors are rooting at the same elements, and seem to be quarrelling in a neighborly way. They are all proclaiming that they must stay where they are, till they get at the science of the thing; and they are simply positive that, until they get at the science, they can never get at the art. Meanwhile, there is a considerable hubbub about everything that comes up, principles, ways and means.

[2] W. H. Maxwell, "The Literature of Education," *Educational Review*, vol. ii, p. 331.

If they are right, I am afraid that people must have been somewhat premature up to this. If they are wrong, I fear that some other people are rather tardy. Let us see.

2. Pedagogy, or rather that broader idea, Education, was conceived 333 years ago, in the spirit of the following passage:[8] "I have just remarked," says the old author I referred to, "that we are turned aside from the path of Religion and Wisdom, when minds are not cultivated. That misfortune befalls us, owing to incompetent and unworthy teachers (*ab imperitis et improbis praeceptoribus*); owing to the condition of the schools and universities, when the ancient discipline does not thrive in them; owing to a preposterous order of studies, to one's companions, to poverty, to feeble health; owing to one's writings or books, when they have not been duly corrected or are tainted with some error, or when there is scarcely any correct method in them, and no principle of moderation or utility governing what they pretend to convey. We must begin then, with God's assistance, to treat this matter rather accurately." And he does treat it quite accurately and also abundantly, in every line not only of science but of fine art too. He allows himself 1,011 folio pages for the purpose.

He and all masters of the art of education differ from the tardy moderns in one little point, not to mention five hundred great ones. They did not call their art "Pedagogy"! In that one point alone have the moderns done better than all former ages; it has given them a splendid start. Those old people jogged along on the dusty road of education, talking a very plain language; they spoke of the Method of Studies, the Conduct of Schools, the Virtues of a Teacher or Master, the Qualities and Defects of a Child. It requires only half a glance to see what a purchase it gives on the general mind, to use now, instead of that common talk, the words "Pedagogy" and "Psychology"! I have an Elzevir book before me, printed at Amsterdam in 1645, containing, in 687 duodecimo pages, twenty-four *Dissertationes de Studiis Instituendis*. The authors from whom the dissertations are taken, extend from Erasmus in the beginning of the sixteenth century to Sturm, Scioppius, Hortensius, away in the seventeenth century. Many

[8] Possevinus, S.J.: Bibliotheca Selecta, qua agitur de Ratione Studiorum in Historia, in Disciplinis, in Salute Omnium Procuranda; 1592: lib. I, c. 7.

of the writers are Protestant; none of the selections are very distinctively Catholic; and some are violently anti-Catholic and anti-Jesuit. But the titles all run in the groove, *De Ordinando Studio, De Ratione Studii* or *Studiorum, Methodus Studiorum, De Scholarum Ratione,* etc. Here and in divers other little points they are notably at a disadvantage; for they never used names which nobody can understand, to explain things which otherwise common sense might possibly have comprehended.

3. These names, Pedagogy and Pedagogical Psychology, have come to us from abroad, from Germany and France. And they have brought with them a family of novel ideas, hampered by no Immigration Laws. When a gentleman like M. Compayré began his brilliant pedagogical career, as late as 1865, he could barely say more than that the word, *pédagogie,* had at length become fixed with a reputable meaning in the French language; and at a later date, in 1882, he quotes with considerable relish the saying of a contemporary, whose appetite for the luscious delicacy is evidently as pronounced as his own: "France is becoming *addicted* to Pedagogy!" And, had his own contribution been needed to buy recognition for the suspicious-looking article, he was not the man to be found wanting. Certainly, through his translator, Mr. W. H. Payne, he has contributed as much as anyone to naturalize it in the United States. Indicting a translator's preface to Compayré's *History of Pedagogy,* Mr. Payne formulates a request from his study in the University of Michigan, that we will please not be "squeamish", nor "object to the word Pedagogy on account of historical associations."

4. The ideas which come along with this new word into the field of common-sense education are of the most novel order. They are partly from France and partly from Germany. American talent seems to be in a luxurious state of embarrassment just now, as to which set of ideas it shall definitely take as its own. I am inclined to believe that Germany is winning the day; because it is so very fresh and so new in its conceptions.

The French ideas are largely those which were adopted with such ardor by the new men at the end of the 18th century. They were English ideas. Everything that was English became the social and political fury of the time. The sensist

Locke and the sceptic Hume were the fashion. And, since Great Britain has, even later still, been prolific in begetting great men who can disintegrate great things, from religion down to the commonest matters of plain morality, other fashionables have joined Locke and Hume, and help to rule the pedagogical *salon*. They are such as Mill and Maudsley and Spencer and Bain. Besides this Anglo-French school of the Revolution, there are the relics of the positivist school of Auguste Comte, equally addicted to the Revolution, but convicted of an unholy hankering after what it calls "common-sense" morality and religion.

The German will always dive deeper than the Frenchman and the Englishman. The French rationalist is too shallow, the English materialist too slow, to arrive where the German psychologist is revelling in his monads and his *ego* or *non-ego*. Who but a physiologist of Jena could penetrate the inner consciousness of a baby, and describe with force and effect "the development of the feeling of self—the 'I' feeling"? This is what Professor Preyer has done, who has received the specific mandate from science to identify himself with the infant during three or four years after birth, and also with the infant yet unborn. He has given us the data of psychogenesis, which means the birth of a human soul by evolution during those early years; and so Physiological Psychology has been born of evolution during these last few years. Then, again, who but a German transcendentalist could put such creative force into an idea of his, that he should "construct" the will and senses of a pupil by the strength of the ideas he puts into him; nay, that he should construct the soul itself, by an "irritating" process of fitting ideas suggested in school? Herbart has done this, sailing into the child with a flood of light from the side of mental "representations"; and Beneke has completed the work from the side of the teacher's representations, enwrapping the babe as in sunlight, and engendering it into a conscious soul. Theirs is "Herbartian Pedagogics," and "Mental Psychology."

The balance of power is nicely poised at present between the psychologists of the physiological school and those of the Herbartian school. The Herbartians are proclaiming with great glee, that "we are on the crest of an Herbartian wave."

But the physiologists, who did not believe in figures of speech, except when they agree with those of arithmetic, have been massing their columns in force, from the time of Gall and Spurzheim down to Preyer and Wundt; and Dr. Stanley Hall, on this side of the ocean, has led a chosen brigade, armed with statistical tables, to capture, as he expresses himself, "the pedagogic phantom called the CHILD"; and having thus mounted the CHILD in capitals, he pins the creature down in a laboratory for physiological "Child Study." The tribes and the nations are following their Nimrods bravely; and great is the slaughter of the innocents in the field of pedagogics.

5. Against these tendencies in education stands the Catholic conception. It is pretty well understood on all hands that in Catholic nations, and among Catholic populations, the whole idea of education rests immediately on the essential truths of Catholic doctrine. This defines with inimitable clearness what a child comes into the world for; how it is constituted of an immortal soul and a corruptible body; how it has faculties and, by the use of those faculties, makes for itself its own habits, that is, its virtues or vices; and how its studies and practices, both intellectual and moral, must all be directed from the possession of innocence to the acquirement of virtue, and from the fruit of virtue to the possession of God. The principles, the maxims, the very phraseology employed in the art of education have all been derived from Christian doctrine and Christian philosophy. The spirit of the Catholic Church constructed the schools and the traditions of Europe, the teaching corporations and the teaching Orders. The science and art of education and pedagogics have ever been a direct extension of Christian theology and ethics, exactly as ethics is an extension of metaphysics or general philosophy. And the very quintessence of the art of conducting schools has always lain where Possevino placed it, when he said: *De praeceptoribus id constat, quales sunt duces, tales fore ducendos;* "As the teachers are, so will the scholars be." Such has been the meaning and the policy of education, from St. Jerome, prescribing kindergarten practices for the little daughter Laeta, to St. Thomas discoursing *De Magistro,* or disputing about his right to teach with William of St. Amour; and from St. Ignatius organizing modern education in the new era to Blessed De la

Salle conducting popular education, and down to the foundresses of so many teaching institutes, which in the present century bear almost the entire burden of the Catholic school system.

The literature which reports faithfully this art and science of education, will constitute the first class of pedagogical works to be subjoined. The pedagogy which emanates from the psychological schools mentioned before will rank in the last class to be mentioned; for it is altogether too considerable in quantity, and is too much in vogue, to be ignored here.

6. Between these two classes, the Catholic and the infidel, there is a middle shelf; for between the two tendencies there is a *via media.* Neither Germany nor England began by repudiating the theory of education derived from Catholic ancestors. It was only with the advance of free thought, or private judgment, that their hold on sound philosophy grew weaker and weaker the farther the generations wended their devious path from the Catholic source of their traditions. Their religious sentiment remained strong. Germany had its pietistic school of teachers, headed by Francke. England and New England were strictly religious; and all the old colleges have kept the religious, and even the monastic, cast of their constitutions till within a few years ago, if indeed they have as yet entirely lost it. Up to within the last two generations, the hold of religion on education has been a decided conservative influence; it is only now that, as soon as that hold was relaxed, it seems to have been immediately lost. But this did not sweep away at once the fund of traditional common-sense or of Christian sentiment. And, though England does not seem to know where she stands at the present moment, with respect to the educational problem; and, though America is feeling about for something to pin her faith to, whether the goody-goody rationalism of France, or the out-and-out infidelity of transcendental Germany, an amount of excellent good sense still finds utterance in pedagogical literature, which, if gathered together, would be more than a vindication of every jot and tittle of Catholic practice and theory. It is making itself heard; and the religious sentiment is bemoaning its present hard lot and its worse prospects. Many a complaint is made, and many a criticism passed. Unfortunately, they

are lost in the air; for, when people receive only a tincture of solid education, they attain only a tincture of intelligence; and they do not understand what is said; they go with the tide.

As an instance of this good sense and withal of its uselessness in the actual pedagogical campaign, I may mention the distress of divers serious writers, who are emphasizing the necessity of moral training in school, and yet are forced to dispute the propriety of touching the matter at all; they say they do not know how to go about it. They contend, as the result of their experience, that more harm than good results from broaching the subject of ethics in school; that it is difficult to speak of virtues and vices in presence of either sex alone; but that it is much more impracticable to do so in presence of both together, when the happy family is seated in the arms of co-education.

7. Here then is a middle shelf of pedagogical works, between the Catholic and the infidel. It contains the books which represent largely the traditional common sense of Christian people, who were divided, chiefly by the Protestant Reformation, from the fount of truth and life in the Catholic Church. The educational literature which is now circulating in our institutions comprises this Protestant matter, as well as the downright infidel style of production which, I observe, even religious women are handling, while perfectly unconscious of what they are doing. To give the three classes short and appropriate denominations, I will follow the example which the editor of this REVIEW has set, in indorsing this whole department with the Latin word, *Paedagogica;* and I propose these three Latin terms: Sana, Non-Sana, Insana. The terms seem apt in logic: positive, negative and privative.[4]

II. FIRST CLASS: SANA.

8. It will readily be noticed that the number of productions in this sound department of Catholic educational literature, is altogether out of proportion with the total number of publications in either of the other two classes, or even with the number published in a single year. The same appears to be the case in other countries, which nevertheless are rich compared with

[4] For some of the historical data here alluded to, I may refer to former articles in THE ECCLESIASTICAL REVIEW: "The Development of National Education," April, 1894; "Jansenism and Secularism," June, 1894.

what our English Catholic literature can boast of. I have already touched upon the reasons for this. With us, education is conceived to be rather an art than a topic to talk about. But a more special reason is, that our pedagogical science is chiefly incorporated in the life and traditions of religious teaching institutes, which transfuse both science and art through their own veins, and do not make a market of education, where salaries for teachers and royalties for books are the whole thew and sinew of a thriving trade. And this one fact, the embodiment of educational activity in a corporate institute, explains how it comes to pass that, while every theorizer, as solitary and irresponsible as a raiding guerilla lance, and deserving to be shot if caught, gets a whole chapter to himself in histories and cyclopedias, the labors of a whole religious Order, devoted for centuries to the work of education, are found to be summed up in a single chapter or article—single, because the work is so organic as to be indivisible, and only a chapter, because the art and the science can only be pointed at and labeled as a private heirloom. Indeed, a worthy Abbé, like Augustine Theiner, could make it a subject of accusation against the Jesuits, and the Abbé Maynard wrote a whole book to answer the accusation, that the Jesuits, when suppressed in 1773, left no Professors in Europe to take their place; on which fact the ingenious Abbé founded his accusation that the Jesuits did not know how to teach, since they did all the Catholic teaching of Europe. It was the eminent success of the teaching Orders, of the Episcopal petites écoles, and of the Catholic Universities, which pricked the men of the French Revolution into the life of theorizing and writing books, and then of devising the great modern machine of State secular instruction. And it was a like success which, in the year 1893, cleared out of the infidel lycées of France no fewer than 34,000 pupils, and added to the private unauthorized schools 21,000 scholars.

We divide our books into the subdivisions: (1) The Principles and Methods; (2) The History of Education.

9. (1) *Principles and Methods.*—Mgr. Dupanloup, "The Child"; published by the Catholic Publication Society. I presume that this book is an extract from Mgr. Dupanloup's excellent work: *De l'Education;* of which vol. i is *De l'Education en général;* vol. ii, *De l'Autorité et du Respect dans l'Educa-*

tion; vol. iii, *Les Hommes d'Education; par Mgr. Dupanloup, Evêque d'Orléans.* The first place may well be assigned to this educational work.

Fénelon, "On the Education of Girls." This little book contains elementary principles of education, common to both sexes; but it treats directly of what the name indicates.

Rosmini's "Method of Education"; translated from the Italian by Mrs. Wm. Grey; pp. 389 (Heath & Co.). As far as I can make out by the description, I am inclined to identify this book as a part of Rosmini's *Psicologia.* It has been greeted with high praise by the non-Catholic world of educational critics. Some point out that Rosmini worked contemporaneously with Froebel; others that Rosmini was Froebel's predecessor in many of the principles and educational methods which have made Froebel famous; another says that it furnishes the genuine scientific foundation for the practices of Pestalozzi and Froebel. One remarks that the book goes far to solve the problem of ethics in the instruction of the young; and another notes that Rosmini does not fall into that weak sentimentalism which leaves a child no opportunity to exercise patience and self-denial. All these, and many other such remarks about the pedagogical treatise of an excellent priest, go to satisfy our mind that any Catholic book of instruction, if people could only be induced to read it, would win a ready approbation from their good judgment; for really they meet with nothing of the kind elsewhere. But I doubt very much whether Rosmini would ever have lighted on a translator in Mrs. Grey, who is a Protestant lady closely connected with the movement in Great Britain for the higher education of women, were it not that his Psychology is new and unsound in its tenet of innate ideas. This, however, will scarcely detract from its immediate pedagogical value in the hands of those who use the book.

"The Twelve Virtues of a Good Teacher, for Mothers, Instructors and all charged with the Education of Girls"; by Rev. H. Pottier, S.J., translated from the twelfth French edition; Benziger Bros., 1890. Père Pottier says: "This little book is really an adaptation of 'The Twelve Virtues of a Good Master,' by Blessed De la Salle. . . . We have modified it, having due regard to the difference of temperament, character, early education etc., which is usually found between the chil-

dren of the two sexes, and also in the persons charged with their education. . . . Blessed are those children whose teachers practice 'The Twelve Virtues of a Good Teacher,' and more blessed still are those teachers themselves."

The "Spirit of Education," by the Abbé Béesau, translated by Mrs. E. M. McCarthy; published for the translator by C. W. Bardeen, Syracuse, N. Y., 1881; 325 pages. From what I see of the little book, and the episcopal approbations given to the original French edition, I cannot but form a high idea of it. Hence I am a little startled at the remark made by the translator, that "she offers to the English-speaking public a work which is Catholic, yet *unsectarian* and universal"! I suppose the phrase has been conceived in the spirit of injudicious advertising.

"Practical Notes on Moral Training, especially addressed to Parents and Teachers," with a Preface by Father Gallwey, S.J.; Burns & Oates; 192 pages. This manual is considered by all to be a golden little book.

"The Management of Christian Schools, by the Brothers of the Christian Schools"; P. O'Shea, N. Y., 1893; 254 pages. It exhibits the whole organization, as far as set rules can show it, of Blessed De la Salle's system. This book contains, besides, "The Twelve Virtues of a Good Master," according to the venerable founder, explained by Brother Agathon.

The next work, which I suppose I must include in the list, belongs to a series which will find a place in our next class. I hope the day will soon come when it will find a series of Catholic pedagogical works to fit into, meriting more unqualified esteem than the set to which it now belongs.

"Loyola and the Educational System of the Jesuits," by the Rev. Thomas Hughes, S.J., Scribner's Sons, 1892; 298 pages; in "The Great Educators' Series." The words of the preface state: "The object aimed at has been to indicate the chief traits which may be suggestive in the development of pedagogical science." As I do not wish to fill our pedagogical list with books on Jesuit methods, I merely refer to the footnotes and bibliographical appendix of this work, where divers books of one kind or other are indicated.

Cardinal Newman published several distinct treatises of great value: "The Office and Work of Universities, or Uni-

versity Teaching considered in a series of Historical Sketches"; "Lectures and Essays on University Subjects, or University Teaching considered in certain portions of its Subject Matter"; "The Scope and Nature of University Education." Several of these are gathered together in the late complete edition of his works, under the title of "Idea of a University."

Cardinal Manning and other Catholics of note contributed articles, during many years, to the *Dublin Review* on the university and college question, the particular phase of which was English; but the general bearings, with the accompanying erudition, are of the highest general value. As a separate work I have only the following:

"National Education," by Cardinal Manning, 1889; Burns & Oates. This small book contains a number of pieces written by His Eminence on the political and legal aspects of the anti-Christian movement in Great Britain, and he collates results, some of them borrowed from the United States, of the working of the secularist system. In this respect, several of the papers contain excellent information on the subject of moral training and secularism.

"Education and the Higher Life," also, "Things of the Mind." These two books contain the reflections of His Lordship the Right Rev. J. L. Spalding, D.D.

If anyone wishes to enjoy the poetry and pathos of the Christian idea in the education of the young, to contemplate with a prose-poet the privileges of childhood before God and man, in short, to study the estheticism of Christian faith, we must refer to Kenelm Digby's *Mores Catholici,* or "The Ages of Faith"; and again, to his *Compitum,* or "The Meeting of the Ways in the Catholic Church." In the former work, children and schools and universities come in for their share of historic and poetic justice under several of the Beatitudes. In the latter, they are special "ways" meeting in the unity and vigor of faith, and are treated under appropriate headings.

"Paganism in Education," from the French of *Le Ver Rongeur des Sociétés Modernes,* by the Abbé Gaume; John Murphy, 1852; 279 pages. The spirit which animated the Abbé Gaume was praiseworthy; he desired to have more favor shown to the Greek and Latin classics of the Christian Fathers. But his thesis was ill-conceived and ill-proved when he under-

took to run down, with many a pedagogical misconception, the use of the non-Christian classics. His work called forth a number of replies, all of which evince the same Christian spirit as his, but a much better understanding of the subject. I consider that the ground covered by these works, in reply to the Abbé Gaume, is vastly wider, and more scientifically surveyed, than the whole mass of loose and crude matter which appears in the Reviews, with respect to the higher education in American colleges and universities. Among the works published by the Abbé Landriot, afterward Bishop of La Rochelle, by Valroger and others, I will signalize the two following with which I am best acquainted, and the names of which recommend themselves: *Des Études Classiques et des Études Professionelles,* by Arsène Cahour, S.J., 1852, and *Des Études Classiques dans la Société Chrétienne,* by R. P. Charles Daniel, S.J., 1853. The latter is a model of educational history; the former, a fine specimen of pedagogical analysis.

For the curiosity of the thing, and the suggestion it may convey, I will mention that Pères Nadaillac and Rousseau, S.J., published a small work, *Les Jeux de Collège;* 3me edit., 1891; pp. 222. This item is of consequence in view of significant facts, which appear in different localities. One fact is that people cannot get pupils or students to play any longer; and the circumstance is connected with the precocious immorality which infests those institutions. Hence they clamor for gymnastics and exciting, factitious kinds of games, which, as Frederick Harrison satirically terms them, have become "the sheet-anchor of morality." The educational crisis becomes more acute when not only the scholars have lost their simplicity but, as I noted before, the teachers dare not touch on anything moral or ethical during their classes. Catholic institutions do not labor under this burden of corruption. The other fact is the brutality of the "savage school boy." Lately, this has been given full swing by the ingenuity of professional charlatans, who have twisted natural healthy games into a scientific mimicry of gladatorial savagery and pugilistic rowdyism. And yet the necessity for some sheet-anchor of morality is so imperative, that the college dons look out of their windows with some satisfaction at the "pluck" of the "gentlemen"!

In the course of a painful controversy, which is ever cropping up in England from the side of self-constituted critics of convents—a small agitating party of men and women, who have never anything but tacit praise for secularist or State education, nor anything but carping criticism for their own excellent conventual institutions—there occurs, from time to time, some useful observations made by the overtaxed patience of the rest of the Catholic body. One person asks whether, if we have to *re-consider* the whole question of education, we had not better do what has had to be done in some matters of science, "retrace our steps and return to the wisdom of our ancestors?" To this another replies in terms which claim a place in this list:[5]

"Many mothers are asking for advice concerning the education of their daughters; will they allow me to suggest to them that they seek it in the works of the first Fathers of the Church? They will also find very solid and useful instruction in the following authors: Rev. P. Franco, S.J., *Direction de l'Enfance;* Père Félix, some of his Conferences; Comte de Maistre; Bautain, *La Chrétienne de nos jours;* L'Abbé Dauphin, *De l'Education; La Vie de S. Paule,* par M. L'Abbé Lagrange, Vicaire-général d'Orlèans; Ozanam; Balmez; De Bonald; Fénelon."

For the philosophy behind all sound education, I must refer to the list of philosophical works included in this "Priest's Library." But I take pleasure in noting particularly a study of the question from the side of Social Science, *viz.:*

"Studies of Family Life: A Contribution to Social Science," by C. S. Devas, M. A. Oxon.; Burns & Oates, 1886; pp. 275. Special attention should be paid to Parts ii and iii: "The Christian Family," and "The After-Christian Families." In the latter part, the Irreligious French Peasantry, the North-Eastern Americans, and the English Laborers are considered.

I reserve for the last place a book mentioned in an article of this REVIEW, and declared to be "out of print":[6]

"The Spirit and Scope of Education"; translated from the German of Dr. Stapf; published in Edinburgh by Marsh &

[5] The *London Tablet,* August 19 and 26, 1871, pp. 239, 269: "The Education of Girls," "Catholic Education."

[6] ECCL. REVIEW, vol. ii, 1890, p. 195; article by Brother Azarias on "Gabriel Compayré's History of Pedagogy."

Beattie, 1837. Brother Azarias notes that the book is highly philosophical in its treatment of the relations of teacher and pupil; its psychological analysis is natural and simple; above all, it is imbued with a truly Catholic tone. But the note he adds, "Out of print," will suggest some comment further on.

10. (2) *History of Education.*—And the first book that commends itself, under the head of history, is a book not yet in print under an English guise: Stöckl's *Lehrbuch der Geschicte der Pädagogik.* The first volume of Dr. Stökl's "History of Philosophy" is now in English. His "History of Pedagogy" is waiting for a translator. I take the notice of it from the same article of this REVIEW.[7]

The *Dublin Review* commenting on the idea of a "Great Educators' Series," expressed a hope that St. Benedict might find a place in it. We might express the same hope for a dozen other historical figures. But, until those come forward who can speak of their traditional systems from an inside knowledge of the respective institutes, we must be content to see the subjects treated by outsiders and non-Catholics, or, as is more usual, to see them ignored altogether. In the meantime, St. Benedict and several others stand out with a due aureola of educational glory in the two following works, which cannot be recommended too highly:

"Christian Schools and Scholars; or, Sketches of Education from the Christian Era to the Council of Trent," by T. A. Drane, a Dominican nun. The second title indicates precisely the character of the work. It is not a History of Education; nor a History of Pedagogical Methods. But it runs on in a happy vein of narrative, with much of the original coloring derived from authentic sources. Similar features characterize the following great work:

"The Monks of the West," by Montalembert. The distinguished writer's scope is not educational; but, of course, it includes educational progress. And never are essential principles of the Christian idea more clearly discernible than when we are looking at the living persons who embody the principles.

Of Ireland, in particular, we have the recent scholarly production of Bishop Healy, on the "Schools and Scholars of Ire-

[7] *Ubi Supra,* p. 196.

land." The education of Western Europe depended for several ages on the monastic masters of the Green Isle.

Add, in the same sense, "Lingard's Anglo-Saxon Antiquities."

The Lives of founders or foundresses of teaching Orders serve to portray the working of educational zeal at special epochs. I note the following:

"Life of St. Charles Borromeo," 2 vols., Burns & Oates, 1884; from the Italian of Giussano.

"Life of Catherine McAuley," by a member of the Order of Mercy. American edition, Sadlier, N. Y., 1866. Chapter xx will be found instructive on the matter of education.

"Life of Mary Ward," by Chambers. Quarterly Series. Some instructive points about the development of convent education may be gathered from this work.

"Life of Ven. Sophie Barat, Foundress of the Congregation of the Sacred Heart," by the Abbé Baunard. An exposition of the Constitutions of this teaching Order contains principles of adaptation to the present century.

"Life of Julie Billiart," foundress of the Notre Dame Sisters of Namur.

I am at a loss for a work on the Ursulines; also on Blessed Peter Fourier, from whose institute of Canonesses Regular issued that of the Congregation de Notre Dame, first established at Montreal.

I desiderate many others, likewise. But leaving this historical shelf as I find it, I will only mention in the last place a book noticed in the article of this REVIEW, quoted before:[8]

"Life of Bernard Overberg," translated from the German of Krabbe, by the Passionist, the Hon. and Rev. George Spencer. Derby, Richardson & Son, 1884. Brother Azarias adds: "Overberg (1754-1826) was a devoted priest, rector of the seminary of Munster, and head of the Normal School. He was one of the greatest educators of his day. . . . It is out of print."[9]

(*To be continued*)

THOMAS HUGHES, S.J.

Rome, Italy.

[8] ECCLESIASTICAL REVIEW, vol. ii, 1890, p. 194.

[9] As the years advance, and particularly when the editors of this Priest's Library come to the rescue, deficiencies in the foregoing list of works, just mentioned here to illustrate the thesis, will be filled up to the satisfaction of all.

SIR PENNYSLOT.

"Use this pennyslot—
Save some baby-tot!"

"SAY that again, please, Father," I asked, wrinkling my brow in such a fashion, I suppose, as made Father Juvenis smile, for he did smile broadly as he repeated:

"Use this pennyslot—
Save some baby-tot!"

"That was their slogan," he went on. "Father Edwards adopted it as soon as he discovered it written with scrawling letters on the top of one of the mite-boxes. Have you the time? Shall I tell you about the whole campaign? You'll have to hear about it all some time anyway, so you might as well get it now in connected fashion. Understand it better."

I realized that in deed "I might as well", and though I was anxious to get quickly through the morning's mail, I tipped back the swivel chair and nodded my head for him to begin. He plunged in at once. He sat forward on the edge of the big leather chair and began with his usual expository gesture—shaking his index finger at me—which, before I knew him quite so well, was always annoying. There are two things I abhor: one is for anyone to call me "dear", and the other is—no, three things: secondly for anyone to point a finger at me, and last but not least, a weak, clammy, gripless handshake! However, my busy Assistant was now—O, I should not omit that he had just returned home. A few weeks ago I had noticed that he was getting fidgety and almost irritable at times; so I decided that he was working too hard and I insisted on a vacation for a week. Where do you suppose he wanted to go? Back to his old Prep School in the middle of a big city. I was delighted, for I felt that such a change was just what he needed. There's too much country out here at St. John's, thought I, and the city will do him a world of good. It would take his mind off his continual schemes. Well, as I was saying, Father Juvenis was now plunging into his subject of the Catholic Students' Mission Crusade.

"They were delighted to see me, Father, back at the old school. It was a boarding school in my day there, but they have long since dropped the boarders. Many of the old-

timers who marshaled us around both in class and out were still there. But the man I think I enjoyed meeting most of all was an old classmate of mine who joined the order after our fourth year of high school and whom I haven't seen since. He finished his fourth-year Theology last year and was made Student Counsellor at his Alma Mater."

"*Student Counsellor?*" I asked. "What is that?"

"Why it is quite a new office in one way; that is, as an *office* it is new. The Student Counsellor is a priest-teacher who acts in quite the same capacity to the students of the school as the Spiritual Director of the seminarians in a seminary, or the 'Spiritual Father' in a religious community. He is the *ex officio* confessor of the boys; he is accessible to them at all times to hear their troubles and complaints if they have any; and when they get into scrapes either with one another or with their teachers, he is supposed to have the healing balm ready, the oil and the wine to pour into the bleeding wounds. Quite an idea, don't you think?"

"Yes," I replied without much enthusiasm; "quite an *idea*, but does it work?"

"Splendidly, I believe. They are conservative at the school. Father Edwards, my old classmate, says he believes the office is quite too young to judge much of its strength yet. But let me tell you—the Student Counsellor has plenty to do. Now take Edwards's case as an example. He teaches three subjects in fourth year, hears the boys' confessions, has charge of two students' sodalities, the League, a Eucharist society known as the K. B. S., or Knights of the Blessed Sacrament, supervises all the social activities of the school, hears confessions in the church on Saturday nights; but outside of that, as the slang has it, he hasn't a single thing to do—O yes, he has also two 'religion lectures' a week to the first-year lads."

"Humph! I hope Father Edwards is young and in good health!" was my laconic remark.

"He is, and enthusiastic too—that is, when he manages to inspire the boys with something of his own enthusiasm. The kids there are just like they were when we were there: docile as lambs, but with something of a lambs' *laissez faire* too. They haven't a great deal of initiative. Even when Edwards supplies the initiative they're great shouters, but not such great

actors. They make plenty of noise and take up a scheme with great vim, but Edwards says that he has to keep continually after them, else of themselves they'd just let things drop back into innocuous desuetude. They're hard to work with, but if you'll only work with them they'll respond splendidly."

I was getting impatient for the point at issue, so I remarked: "Well, how he succeeded with the Catholic Students' Mission Crusade? What is this Crusade anyway?"

"Why, Father!" exclaimed Juvenis, "you don't mean to tell me you do not know?"

"I do not know," I avowed; "and what is more, I'm not ashamed of it. They start so many new societies and Catholic magazines nowadays that one would need hours of precious time to keep up with half of them. Why have they started a new Mission Society when we already have the Propagation of the Faith?"

"I see that I must do some explaining, Father," said Juvenis, lighting a cigar. "It is not as if the Propagation of the Faith were inadequate; neither is the C. S. M. C. meant to supplant it or any other Mission Society. I'll give you a brief history of the whole affair. In 1918 Clifford J. King, of St. Mary's Mission House, Techny, Illinois, conceived the first idea, and with splendid confidence in the piety, faith and zeal of American students, broached his plan. Now, it is well to understand this plan thoroughly from the start, otherwise one may get many false impressions. One of these you already have had: you seemed to think the C. S. M. C. was meant to be a sort of parallel organization with those already successfully operating, such as the Prapagation of the Faith and the Holy Childhood. Not so: it is the officially declared purpose of the C. S. M. C. to promote interest among *American Catholic Students* in the home and foreign missions of the Catholic Church. Now this is to be taken for just what it says. I mean that where mission organizations are already operating, the Crusade's purpose is to rouse greater interest among *students* in these very organizations. The Crusade is an adaptable, versatile sort of thing: it fits in perfectly any and everywhere. It *takes the place* of nothing except lack of interest; it supplants nothing but the void of *any* mission society. There are plenty of places where no mission society is operat-

ing at all, not even established, as for instance back at our old Prep. This is true particularly among *students*. Recognizing this opportunity, the C. S. M. C. steps in, and lo! you have a source of revenue for the missions!"

"Ha!" I cried, "There it is! That's what I've been waiting for! The money! No Catholic society would be complete without the dirty money, would it? So I suppose the Crusade steps in with its organization and steps out with the dollars."

"Wait! You have no right to suppose, Father dear! [There was that 'dear' again! Well anyway, he shakes hands firmly, so I haven't to suffer all my pests from him.] No sir, do not suppose so freely. Let me tell you. The Crusade is composed of two classes of Crusaders, Senior and Junior, or students both boys and girls, and those in the Grammar School grades make up the Juniors, while those in High School and above make up the Seniors. There are also Veteran Crusaders, who may keep up their affiliation if they wish. Now the only money collected by the Executive Board of the organization is a per capita tax of twenty-five cents per year from each Senior and one cent per year from each Junior."

"And how many members have they?"

"About 410,000 of all kinds. But I'll save you the arithmetic, easy as it might be. The tax collections come to a little more than ten thousand dollars a year."

"Not much of a sum to turn over to the Missions," I reflected aloud.

"This sum is not turned over to the Missions," coolly put in Father Juvenis.

"What!"

"No; it is used by the Executive Board for the payment of salaries, to organize new Units through the Field Secretaries and other representatives sent out for campaign work, to conduct conventions, to maintain the National Headquarters and to care for the welfare of the organization in general."

"Well, of all the . . . "

"No; it's not robbery either!" he interrupted, divining my thought.

"Well then, it's criminal waste, which is the same as robbery," I argued. "Ten thousand dollars a year is a considerable sum in itself, and though not much to distribute

among a large number of needy missions, yet it seems to me that it were better distributed than wasted on salaries and the like. I tell you, Father, we are too much cluttered up with organization and red tape!"

I was really hot.

"Now see here, Father dear," began Juvenis, again shaking his finger at me. "I'll just take your own admissions: ten thousand dollars is not a great sum to distribute to a large number of missions. I agree with you. It would not go far enough to be really noticed. Well then, what do you think the next best thing to do with the sum? If you could make that ten thousand a year, produce you fifty thousand a *month*, would that be worth while?"

"Decidedly! But . . . "

"Well, that's exactly what it does! The C. S. M. C. through its members distributes about fifty thousand a month to the home and foreign missions. Now, if you did not have the Executive Board, even with all its expenses, you would not have the C. S. M. C. at all, and thus—well, if we are to believe the reports of the year 1923-24, Crusade Units have been sending three million dollars a year to the Foreign Missions: what percentage return is that on the investment? Why Rockefeller doesn't make money like that! You see, 'it pays to advertise', and that's what the C. S. M. C. does: advertise the Mission Idea among Catholic Students!"

"Where did you get these figures?"

"From the pamphlet Father Edwards gave me. It is published by the Executive Board, from Crusade Castle, Shattuc Avenue, Cincinnati, Ohio, and paid for out of the yearly ten thousand per capita tax. Good advertising, don't you think? Why it has even penetrated the recesses of St. John's Parish and made another convert, I'm hoping, out of its dear Pastor!"

"Now hold on, young man! [I thought I'd 'young-man' him as long as he was 'dear-ing' me.] Not yet, it hasn't! I have another objection. Seems to me this scheme is bad for another reason: it is the centralization of tremendous money in individual hands. Obscure missions not on the Crusade's list are likely to get nothing when the pie is cut. That's bad. The scheme is open to the charge of favoritism."

"Nothing of the kind! Every mission in the world is on the Crusader's list, as you call it, simply because the Crusade *has no list!* See here! Not a red cent of the money collected by the Units for the missions is ever even seen by the Executive Board. It is all sent directly to the missions themselves by the Units themselves. If any mission is neglected it is because the Units neglect them, and there is plenty of remedy for this: no mission is so poor as not to be able to make its wants known. You know yourself the large number of appeals we get even here in the country. The attitude of the Crusade toward money is the secret of its tremendous success. That is, the secret of part of its success . . . "

He paused to light his cigar, long dead.

" . . . for gigantic as the sum of money sent to the foreign missions may seem to be, and is, it is nothing compared with the good works and prayers offered up by the Crusaders in order to obtain God's blessing on the spread of the Gospel among the heathen. Let me read from the pamphlet."

He fumbled in his pocket and brought out a long folder.

"Here," he continued, reading, "are the figures for 1923-24: Masses Heard: over eight million, nearly nine; Holy Communions: nearly two and a half million; Visits to the Blessed Sacrament: nearly eight and a half million; Rosaries: not quite seven million; Way of the Cross: the lowest number of all, 835,690; Aspirations: Twenty-two billion, forty-three million; Acts of Mortification: six million; Study Hours: nearly thirty-six million; Other Work Hours: seven million; Play hours: over six and a half million; and miscellaneous prayers, devotions and spiritual exercises: nearly three hundred and fifty-nine and a half million. How does that look as compared with your paltry three million *dollars?*"

"Wonderful! Wonderful!" I cried. "And only from students!"

"Here, Father, take the pamphlet and read all about the organization of the Crusade, its activities, its conventions, its pageants, its ritual of initiation. Believe me, the thing is alive!"

I took the proffered pamphlet gladly, for I was now thoroughly interested. I had meant to chase him out now, but . . .

"Well," I asked, "how did Father Edwards succeed in introducing the C. S. M. C. among the students back at your old Prep.?"

"Admirably!" replied Father Juvenis, again lighting his cigar. "He knew nothing about it at all when he started. He got the idea that Lent with its spirit of sacrifice would be a propitious time to make a beginning. There are about six hundred boys in the school; so he ordered mite boxes for them. They still have the First Friday assembly each month in the church, so Edwards preached to the youngsters on the C. S. M. C. He explained it from A to Z and made his appeal. Each boy was to deny himself during Lent and put his savings into his mite box. On one side of the box were squares for keeping record of twenty-five pennies for the tax. On the other side were squares for keeping record of other savings. The idea was to save *at least* a quarter for the dues and as much extra for distribution to the missions. This last item would be totaled up at the end of Lent and each class would take a vote on the particular object of their charity."

"How much did he get?"

"Nearly two hundred and fifty dollars. Not such a large sum in itself, Father, but I think it is admirable for forty days' effort on the part of mere children. It is a good beginning and shows what can be done in a whole year."

"And what does he do in order to keep track of the good works and prayers?"

"He intends to send around a paper each week, printed in columns under the proper headings. On these the boys will mark their prayers and good works, just like the Apostleship of Prayer list. It'll work, I'm sure."

"Yes, if the Dean of Studies will permit that much interference with class duties."

"He won't forbid—he's an ex-missionary himself. But say, I haven't told you of the schemes Edwards had for keeping up interest in the establishment of the Crusade. He's full of them! No doubt the idea of a 'crusade' was applied to this campaign for money and prayer for the missions, in order to throw around the movement something of a glamor and a bit of the romance of chivalry. The originator of the C. S. M. C. was no doubt moved to his choice of the name *crusade* because

it was not so prosaic as *drive* or *campaign,* and possessed nothing of the odium attaching to these words. I think myself that *crusade* is about the best choice of a name that could have been made, and yet I believe with Father Edwards that you cannot depend upon the mere name *crusade* to fire the modern American youth with zeal in the same magic way it did in medieval times. Call it a crusade, because that is the best name we can think of, but then go ahead and use modern advertising methods in order to sell the kids what the crusade stands for. Edwards was not long in discovering the little rhyme on the mite box of one of the boys:

'Use this pennyslot—
Save some baby-tot!'

"With the sure instinct of an advertising man, Father Edwards adopted the jingle as the campaign slogan. In order to keep up interest he obtained from a South African Missionary priest passing through town a set of pictures of the missions and natives, about twenty or thirty in number, and posted them with attractive titles under each. A picture, for instance, of a native sleeping with a block of wood for a pillow was titled: 'Suppose this were YOUR bed: think you'd be in time for Mass?' And his signs! There were dozens of them done in colored crayon, such as, 'Why is an elephant in South Africa like a wheelbarrow?' The boys wrote their answers below: 'Because both carry a trunk.' Or, 'Because neither can climb a tree.' And so on. Then the boys themselves made cartoons. One was of a dashing 'stude' with a mite-box in his hand standing in front of a movie theatre, and in the act of slowly depositing his coin in the mite-box. There were crossword puzzles too, made up of mission words, with a prize for the best correct answer."

"Well, indeed," I remarked as Father Juvenis paused for a pull on his dead cigar, "it is no wonder he was successful! But, don't you know, I should think the superiors would be unwilling to have new societies started. Most schools and churches are quite 'society-ridden'. There's hardly time for the activities of those we have."

"Ah!" he cried, with his pointing gesture again, "that's another beauty of the C. S. M. C. It can be attached to any organization already established. Father Edwards made it

an activity of the Sodalities. It fits in admirably with the Sodality *section* scheme.

"I happened to be present on the day when the boys were to return their mite boxes. For this occasion Edwards had made great plans. He got an oblong box about three feet high and a foot and a half deep, stood it on end and tacked white cardboard around the outside. A hole was sawed in the top big enough to admit a mite box. Then with two ten-cent cans of paint, one vermillion and the other black, he dolled up the box to look like an overgrown mite box. Here's a picture of it. Clever, eh? Then he sent a notice to the classes urging the boys to bring their mite boxes on the following day and be prepared for a surprise. Each class was told to elect their two best runners and have them in the schoolyard next day at the lunch hour for a special footrace for a grand prize. Excitement was intense on the morrow at noon when the lads assembled. With the boys of his own class for confederates, Edwards then announced from a chair the *modus operandi* of the race. A line of chairs tipped over and end-to-end formed a barrier across the yard halfway between the buildings. The contestants were to be lined up at the start and blindfolded. At a signal they were to run to the goal, *stepping over the chairs,* touch the goal and return to the start. It would be disqualification if any runner disturbed the line of chairs.

"With great glee and uproarious shouting the boys formed two lines on each side of the course. The runners were blindfolded securely and all seemed in readiness for the starter's gun. At this moment, however, twenty lads from Edwards's class ran out and quietly *removed the chairs.* Then the gun cracked and mercy me! I've never seen such fun! The runners, supposing that the chairs were still in their way, were stepping out in the most comical fashion, while the other lads roared with laughter and egged them on. What fun! Soon the uproar was so great that I couldn't hear myself shout. The runners now suspected something was amiss, for they seemed never to reach the chairs, and so removed their blinds."

"Did anybody win the prize?" I asked, laughing.

"Yes! One lad claimed it. And Edwards, mounting his chair again, while the mob of lads gathered around, made a speech awarding the prize. The winner took the neatly tied

box handed him and was immediately assailed by cries of the boys demanding that he open it at once. Father Edwards put him on the chair. One wrapper after another came off while the expectant mob waited. At last a small pill box was revealed. On opening this there was a report of a loud cap: one of those little trick shooters was inside! Pandemonium!

"Father Edwards was in his element. He soon got the attention of the boys again and now introduced to them one of the seniors, dressed for the occasion in some old play costume, the garb of a medieval knight. He carried a mace from which floated a bright red pennant.

"'Boys,' he announced, 'you remember the famous gentleman in Tennyson's *Idylls of the King,* Sir Lancelot? Well this is his brother, SIR PENNYSLOT!' (Loud cheers!) 'Now boys,' he went on, 'Sir Pennyslot is going to lead a snake-dance around the yard and bring you up here again where you will find our Big Mite Box, *The School's Mite, Could, Would and Should Box*! Ready, Sir Pennyslot? All right! Lead off the snake-dance. It is surely a dance that will beat the devil, for when you get back here, drop your little boxes into the big one for the greater prosperity of God's Foreign Missions and his Eternal Glory! Ready, Go!'

"Why Father, it was wonderful! Here's a picture of the dance. And here they are dropping their mite boxes into the big one."

Father Juvenis, all a-flush, paused for breath and relit his cigar, while I examined the pictures with interest.

"And did they all join the C. S. M. C.?" I asked.

"No; there are always some slackers, it seems. Three hundred and sixty-seven out of the six hundred joined, and there were about $135.00 over and above the per capita tax amount to distribute to the missions. It was all worth it though, don't you think?"

"I certainly do! When are you going to start the Catholic Students' Mission Crusade in St. John's School, Father Juvenis?"

"*To-day,* Father dear! Why, think of it! I didn't even have to *ask* your permission, did I? Isn't that great!"

PASTOR ANTIQUUS.

DE PRIVILEGIO FORI.

Clerical Exemption in Law Courts.

THE law of England, we sometimes hear, is no respecter of persons. Whether it be bishop or beggar, master or servant, society lady or nun, against whom a charge is brought, he or she has no option but to appear before judge or magistrate and answer the indictment. Yet it was not so a hundred years ago, for then the privilege known as Benefit of Clergy gave to the clergy and nobility exemption from the ordinary courts of law. More markedly still did the law discriminate between clergy and laity in the days when England was Catholic.

Yet even now, the Catholic priest has a peculiar and special position in the eyes of the law. The secret of the confessional at once suggests itself as an illustrative example of this. In law, the only privileged communications recognized are those between a legal representative and his client. Doctors therefore and priests have no choice, legally speaking, but to disclose in evidence on oath what has been confided to them. According to some authorities, however, no court would now insist on a priest divulging statements made to him in confession. The latest edition of Powell on evidence cites two cases which bear out this view. Both are very old, but apparently still authoritative. Best (Chief Justice) said in 1828, "I for one would never compel a clergyman to speak." And Baron Alderson in 1853 (R. V. Griffin) said, "My opinion is that a clergyman should not disclose information learned in performing his duty as a clergyman."

Our concern here and now, however, is not with anomalies of the existing law of England, nor with survivals of the Canon Law in England, but rather with the new Code's universal legislation regarding clerics and the secular courts. We there find that Benefit of Clergy, or *privilegium fori,* is not nowadays, as some would think, a dead letter, or a legal fiction, or a mere *ens rationis,* but something very real and very definite. Its discussion, therefore, may be of at least academic interest.

The second book of the Code of Canon Law deals with persons, and its first part is concerned with clerics. Of this part, the first section treats of clerics in general, and its second title

is headed "De juribus et privilegiis clericorum". Comprised in these rights and privileges are the "privilegia canonis et fori, beneficium competentiae", and immunity from military service and public offices which are civil in character. These belong to the clergy by virtue of their state, and remain until they are forfeited either by the loss of that state or by penal law.[1] Our immediate business is one only of these privileges, that laid down in Canon 120, which has three paragraphs and reads as follows:—

> Can. 120, § 1. "Clerici in omnibus causis sive contentiosis sive criminalibus apud judicem ecclesiasticum conveniri debent, nisi aliter pro locis particularibus legitime provisum fuerit."

This is the principle definitely stated. The next two paragraphs embody the exceptions and concessions made by the Holy See.

> § 2. "Patres Cardinales, Legati Sedis Apostolicae, Episcopi etiam titulares, Abbates vel Praelati *nullius*, supremi religionum juris pontificii, Superiores, Officiales majores Romanae Curiae, ob negotia ad ipsorum munus pertinentia, apud judicem laicum conveniri nequeunt sine venia Sedis Apostolicae; ceteri privilegio fori gaudentes, sine venia Ordinarii loci in quo causa peragitur; quam tamen licentiam Ordinarius, praesertim cum actor est laicus, ne deneget sine justa et gravi causa, tum maxime cum controversiae inter partes componendae frustra operam dederit."
>
> § 3. "Si nihilominus ab eo qui nullam praehabuerit veniam, conveniantur, possunt, ratione necessitatis, ad vitanda majora mala comparere, certiore tamen facto Superiore a quo venia obtenta non fuit."

It is claimed, therefore, that a cleric, so privileged, should not be summoned as defendant before a secular tribunal, and should be judged in all cases by an ecclesiastic. This immunity is not based on the nature of the charge, but on the status of the delinquent. It is to be considered neither as an acknowledgment of good work done, nor as a reward for merits acquired; it is just the Church's protection extended to all who belong in some fashion to her visible hierarchy.[2]

[1] Augustine's *Commentary on the New Code*, vol. 2, p. 57.

[2] *Dictionnaire de Théologie Catholique*, *s. v.* For., vol. 6, col. 527.

How far back we may date the origin of this privilege it would be no easy matter to decide. Various opinions have been propounded, some even seeking ultimate refuge in natural or divine law. At the other extreme stand those who maintain that clerical immunity in law merely springs, in the first instance, from the goodwill of emperors and kings. It was after the Edict of Milan, in 313, that bishops received certain judicial powers and jurisdiction which they exercised concurrently with the lay tribunals.[3] When under Arcadius in 398, and Honorius in 408, attempts were made to curtail these powers, the bishops protested and demanded that clerical causes at least should be reserved to them. But no penal jurisdiction properly so-called, over layman or cleric, had ever been vested in the episcopate. The emperors had never intended to surrender one jot or tittle of their judicial power, and could whenever it pleased them withdraw what concessions they had made.[4]

Gibbon seems to take this theory, the favorite one of those outside the Church, even further back, to the times when each Roman emperor was *Pontifex Maximus,* in which capacity he dealt with matters concerning the priests, over which praetors had no control. The Christian emperors, therefore, in refusing to give up their jurisdiction over ecclesiastics were simply continuing to hold the privileges which their pagan predecessors held *ipso facto as emperors.* Yet this does not touch the root of the matter, nor does it go back far enough in history. A brief meditation on Genesis 47 : 20-22, and I Esdras 7 : 24-28,[5] and the recollection of a few pagan analogies, and a few facts which antedate even Constantine by centuries, would have led the upholders of this theory to think there might be something in the suggestion that ecclesiastical immunity as such is based on the natural feelings of mankind toward the Almighty, and toward persons and things consecrated to His service.[6]

But, more important still, Christ founded a Church, which was a perfect society, supreme in its own order, self-sufficing,

[3] *Ib.*

[4] *Ib.*, col. 528.

[5] "So Joseph bought all the land of Egypt. . . . And he brought it into Pharoh's hands . . . except the lands of the priests."

"And I separated twelve of the chief of the priests. . . . And I said to them: 'You are the holy ones of the Lord, and the vessels are holy'" *etc.*

[6] Abp. Walsh's pamphlet on the "*Quantavis Diligentia*", p. 100.

competent by divine right to judge its own subjects for violations of its own law, and especially concerned with the discipline of its sacred ministers, whose honor involved its own. When any of its subjects violated also the law of the State, the Church was acting within its competency and according to right reason when it claimed to reserve for its own courts the cases of clerics, on account of their special status.

This reasonable claim the early imperial laws fully admitted, and the first Christian emperors and their successors conceded the *privilegium fori* and other ecclesiastical immunities, but rather as a right than as a favor. The law of Constantine reads: "Hi qui appellantur clerici ab omnibus omnino oneribus excusantur, ne sacrilego livore quorundam a divinis obsequiis evocentur".[7] Theodosius M. ordered that bishops should not be cited as witnesses even, "nam et persona oneratur et dignitas sacerdotis assumpta confunditur".[8] That the *privilegium fori* was clearly established by the beginning of the fifth century is proved by the fact that Valentinian III (423-455) partly abolished it, allowing the episcopal tribunal to decide the civil cases of clerics, but requiring that the defendants in criminal cases should appear before the secular courts.[9] Majorianus (457-461), however, revoked the Valentinian law and restored the privilege in full. Then Justinian (527-565) excluded from the jurisdiction of lay judges all causes of monks and nuns, and ordained that the civil causes of clerics should be referred to a lay tribunal only if the ecclesiastical could not arrive at a decision.[10] In all criminal cases, the accused cleric must be cited before the bishops first, and then be judged by the civil court.

Without proceeding further along this line, we may now turn to the early councils, which time and again insisted on the *privilegium fori* as thus acknowledged by the emperors. It will suffice to instance the Councils of Carthage III (397), Chalcedon (451), Arles II (452), Agde (506), Orleans (541), Auxerre (578), Macon I and II (581 and 585), Toledo III (589), Cologne (1266), and Exeter (1287).[11]

[7] Cavagnis, *Institutiones Juris Publici Ecclesiastici*, vol. 2, p. 187—quoting *Cod. Theod. leg. 16, tit. 2, lib. 7.*

[8] *Ib.*—quoting *ibid.*, tit. 3, de episcopis et clericis, *leg.* 7.

[9] *Ib.*, and Augustine, *op. cit.*, vol. 2, p. 60. [10] *Ib.*

[11] Cavagnis, *loc. cit.*, p. 189-191 and Ayrinhac's *General Legislation in the New Code*, p. 251.

It would be no less tedious than superfluous to add a catalogue of the Popes who have proclaimed the Church's rights in this matter, and we may content ourselves with quoting Boniface VIII (1294-1303), "Cum ecclesiae ecclesiasticaeque personae ac res ipsarum non solum jure humano, quinimo et divino, a saecularium personarum exactionibus sint immunes",[12] words afterward reëchoed in the Lateran Council (1516) and at Trent (1545-1563). Martin V, in the Constitution *Ad reprimandas insolentias* (Feb. 1, 1428) decreed that all persons, secular or regular, judges and their accomplices, private persons as well as those in authority, who brought clerics before a civil tribunal or took a leading part in proceedings against them, should incur excommunication.[13] In the same or a similar strain are Benedict XIV, *Officii Nostri* (1750), Clement XIII, *Inter graviores* (1758), and Pius IX's allocution *Acerbissimum* (1852).

Such indications as these will more than suffice to show the Church's clear teaching with regard to the *privilegium fori.* Like the other ecclesiastical immunities, it is based on the divine constitution of the Church, though not a matter of express positive divine law.[14]

We must now turn to the actual working out of all this in practice, and need hardly be surprised to find that, from force of circumstances, the extent to which the *de jure* privilege has been in fact insisted upon has varied throughout the ages. While always resisting any encroachment upon her rights, the Church has under compulsion tolerated, but never allowed, the interference of secular powers with the ecclesiastical *forum.* With the growing ascendancy of State over Church, the privilege was ever more and more limited, and even in time partially abrogated. This, of course, the Popes could not at any cost have tolerated, had the *privilegium fori* been a matter explicitly laid down by divine law, as is, for example, the indissolubility of marriage.

Before the publication of the new Code, the encroachment of secular powers had brought it about that the civil and criminal cases in which clerics were defendants or accused were

[12] *Dict. de Théol. Cath., loc. cit.* col. 529.

[13] Ayrinhac's *Penal Legislation in the New Code,* p. 256.

[14] Cf. Walsh, *op. cit.,* p. 101.

brought before the secular courts, their spiritual delinquencies alone being reserved to the ecclesiastical authorities. To these restrictions of immunity the Holy See, taking into consideration the circumstances of the times, gave full consent, either expressly in concordats, or tacitly, inasmuch as by an established custom to the contrary, the *privilegium fori* was to be considered as abolished in most countries when a layman was the accuser in a civil or criminal case.[15] But the Church, while making these very generous concessions, had stipulated that the bishop should always be apprised of criminal proceedings against any of his clerical subjects, that he might be able to take the necessary ecclesiastical measures.[16] Moreover, in some countries, *e. g.,* Belgium, France, and Germany, the laity were advised and the clergy commanded to ask permission of the superior whose authority was involved before summoning any cleric before a civil court, and leave would not be withheld.[17] It must be borne in mind that whenever the Holy See did not thus relinquish the *privilegium fori,* lawyers and administrators who directly or indirectly constrained judges to summon ecclesiastics before the secular courts incurred excommunication specially reserved to the Pope. In Rome, therefore, and the States of the Church seized by the Italian Government, and, apparently, in the rest or most of Italy, the Sovereign Pontiff yielded nothing, and insisted on the strict observance of the clerical privilege, nor could there be any question of a validly established contrary custom. Such a *de facto* custom, lacking even the tacit consent of the Holy See, would be valueless as a mere *corruptela juris.*[18]

A brief note on the authority of custom in Canon Law may fittingly conclude this treatment of the pre-Code status of the *privilegium fori.*[19] Canonists distinguish three several kinds of custom—*juxta, praeter,* and *contra legem.* A custom *juxta legem* soundly interprets the law—hence the maxim which the English Law admits, "Optima legis interpres consuetudo". A custom *praeter legem* goes in advance of, and occupies the

[15] Walsh, *op. cit.,* 73, quoting Mgr. Heiner on Canon Law. What concordats granted, still holds good.

[16] *Catholic Encyclopaedia,* vol. 12, *s. v.* Privilege.

[17] Creusen, *Religieux et Religieuses,* § 206.

[18] Cf. Baglioni *v.* Boni, quoted by Walsh, *op. cit.,* pp. 90-2, and 94.

[19] Walsh, *op. cit.,* pp. 26-29.

field not yet covered by the law, and may, under certain conditions, become just as obligatory as any law would be. This too the law of England admits, and some have held that the whole Common Law of England has grown up from custom alone. There remains the *consuetudo contra legem,* with which we have been concerned. Curiously enough, this simply does not exist at all in the eyes of the English Law. "No custom can prevail against an express Act of Parliament," says Blackstone:[20] and Lord Atkinson, delivering a considered judgment in the House of Lords, declared, "As against a plain statutory law, no usage can prevail."[21] Far otherwise is it in Church Law, which allows that a custom *contra legem* can extinguish the obligation of a general ecclesiastical enactment. In order that a law should thus lapse into desuetude, it is required that, besides conditions of minor moment, the contrary custom be *rationabilis,* and of sufficiently long standing (*legitime praescripta*), and that it have the consent, *saltem legalis,* of the Pope.[22] Such a legitimate custom did abrogate the *privilegium fori* almost everywhere except in Italy, as the best authorities, e. g., Santi, Wernz, Heiner, Lehmkuhl, unanimously testify.

Let us now turn to the new Code and study the Canon (120) which embodies the recent definitive legislation on the point, and states the existing law so clearly that there can be no room for doubt or quibbling. As we have already seen, the Canon first vindicates the privileged court for the whole clergy, which term comprises all who have received the first tonsure, all religious of both sexes, novices, and all tertiaries who live in common and have received the habit from the competent authority.[23] Further, the privilege extends to all causes, whether civil or criminal, whether the action be personal or real, in none of which may the cleric be cited as defendant. But it is generally understood that if he be cited not *qua* cleric but *qua* guardian, procurator, or manager, *i. e.,* as representing another person, there is no infringement or violation of the privilege.[24] The Canon itself, however, even in its first para-

[20] Blackstone's Comment, I. 76. Quoted by Walsh, *op. cit.,* p. 27-28.

[21] Times Law Reports, Vol. 28, p. 101. Quoted by Walsh, *op. cit.,* p. 27-28.

[22] Genicot, *Institutiones Theologiae Moralis,* vol. I, § 146.

[23] Augustine, *loc. cit.,* p. 59, and Cf. D'Annibale, *Comment. in Ap. Sedis,* 1894, p. 73.

[24] Cocchi, *Commentarium in Codicem Juris Canonici,* Lib. II, p. 79.

graph, expressly excludes those places for which special provision has been made, as, for example, by concordats.

The second paragraph of the Canon distinguishes between the higher and the lower clergy, the former being limited to cardinals, legates of the Holy See, bishops—even titular, abbots, *praelati nullius,* superiors general of bodies of religious approved by the Holy See—even though not actually clerics, and such leading officials of the Roman Curia as the Prefect, Secretaries, and Auditors of the Rota. No one may cite any of these *tamquam reos* without leave from the Apostolic See.[25] In the case of all others inferior in rank, such as vicars-general and honorary prelates, the permission of the Ordinary of the place where the trial is held will suffice, nor should it be refused when asked, if the accuser be a layman, the court impartial, and other arbitration impossible.

In its third paragraph, the Canon legislates for cases where clerics are summoned without the requisite authorization. They should not, under these circumstances, appear before the lay court; but if they have no choice in the matter, or greater evils may follow their refusal, they should answer the summons, having first informed the person whose permission should have been sought. In thus obeying the injunction under protest, clerics clearly show they are acting against their wishes, and merely tolerating a violation of the privilege which they cannot and will not renounce. For a direct infringement of the law, such as is here envisaged, the penalties laid down in Canon 2341 are severe. If the person thus summoned be a cardinal, legate of the Holy See, a higher official of the Roman Curia, or his own Ordinary, the offending party incurs excommunication reserved *speciali modo* to the Holy See; if any other bishop than his own local ordinary, or a titular bishop, an abbot, *praelatus nullius,* or a religious superior general of a Papal institute, the penalty is excommunication reserved *simpliciter* to the Holy See; if, finally, it be one from the lower ranks of the clergy who is thus haled before the courts, a clerical delinquent is *ipso facto* suspended, and a layman incurs such penalty as the Ordinary of the place shall deem suitable.[26] Such consequences as these, it is to be noted, do

[25] *Ib.*, p. 80, and Augustine, *loc. cit.*, p. 62.

[26] Augustine, *loc. cit.*, p. 63, Cocchi, *op. cit.*, p. 81.

not lightly follow. Indeed, under the discipline of the Bull "*In Coena Domini*" (of which the earliest known copy dates from 1364), no private persons, parties or plaintiffs did incur the penalties, but only the judges or officials who were guilty. A partial modification was affected by the Constitution *Apostolicae Sedis* (1869), which declared that legislators, higher officials, and persons of authority who freely forced the judges to act should fall under the censures, but not private persons or the ordinary judges. Finally the *Motu Proprio Quantavis Diligentia* (1911) made it clear that any private person would be affected who should sue a cleric before the civil tribunal without the requisite leave. Nowadays, in actual practice, the judge could rarely be penalized, since he is *nolens volens* compelled by law to act.[27] A close study of the Canon now authoritative on the point (2341) shows that the penalties there enumerated cannot be incurred unless several conditions are fulfilled. Thus, only those who "dare" are guilty. "Si quis . . . ausus fuerit". Ignorance, therefore, even crass or supine, fear, and any cause diminishing imputability, would be enough to excuse under this clause. Again, the ecclesiastic must actually be brought before the lay judge—simple threats and vain attempts are quite ignored. Further, the cleric must be brought before a lay judge acting as such, not before a civil magistrate or before a court of arbitration incapable of pronouncing a real judicial sentence. Moreover, it must be clear that the *privilegium fori* does hold in that particular place. The Holy See declared, after the *Quantavis Diligentia* had been published, that the privilege had been abrogated in Germany, Belgium and Holland, because of preëxisting arrangements or customs; and canonists have concluded that the same was true, for similar reasons, in France, England, Ireland and English-speaking countries generally,[28] as far as regards action taken by laymen against clerics.

The question now arises, "What is the present position under the new Code, in those countries where custom allowed a layman to proceed against a cleric without any ecclesiastical permission?" According to Canon 5, such customs, whether universal or particular, as are now in vogue contrary to the Codex,

[27] Ayrinhac, *Penal Legislation*, p. 261.

[28] Ayrinhac, *Penal Legislation*, p. 261-2.

even though they be immemorial, are abolished if expressly reprobated. Others which go back a century, or time out of mind, a bishop may tolerate, if he cannot prudently do away with them. The provisions of Canon 120 with regard to the *privilegium fori* are so reasonable and so easily carried out that there seems no justification for any longer even tolerating the citing of a cleric by a layman without any permission. Leave must therefore be obtained before any such action is taken.

That is how things stand in non-Catholic England to-day. It may be of interest to tell, though very briefly, of the place held by this privilege in English law throughout the centuries.[29] Little do we know as to the law prevailing before the Conquest, but a new era in this as in so many other matters begins with the Conqueror. Lanfranc would probably have demanded and William conceded the general principle that an accused cleric must be tried before the spiritual courts.[30] By Stephen's time (1135-54) the strictest insistence on complete immunity, for cleric if not for nuns too, as laid down by Justinian, was customary. The Constitutions of Clarendon (1164) raised a storm of no inconsiderable magnitude by requiring that a cleric, accused of any civil offence, should first be brought before the king's court, and there claim his *privilegium fori,* or Benefit of Clergy, as it is known in English law. He would thus secure a trial in the ecclesiastical tribunal, and should then, if guilty, be degraded. No longer a cleric, he would now be remitted to the civil judges for sentence. St. Thomas à Becket objected strongly to this scheme in the name of the Church's law, and on the ground that it would punish a man twice over for the same offence, infringing the maxim, "Nec enim Deus judicat bis in idipsum."[31] Time and space will not permit of our tracing the fate of the Benefit of Clergy[32] under succeeding sovereigns, but we may quote, as a *cause célèbre,* the trial of Cranmer, Ridley and Latimer in Queen Mary's reign. Guilty of political offences,[33] they were

[29] See *Encyclopaedia of the Laws of England,* vol. 2, "Benefit of Clergy".

[30] Pollock & Maitland, *Hist. of Eng. Law.* Vol. I, p. 436-7, and cf. Maitland's *Canon Law in the Church of England, passim.*

[31] *Ib.,* p. 431.

[32] Haydn's *Dict. of Dates;* Low & Pulling, *Dict. of Eng. Hist.; Ency. Brit., s. v.* Benefit of Clergy.

[33] Pastor's *Hist. of the Popes,* Eng. trans., vol. 13, p. 247.

also declared in 1554 to be obstinate heretics. Cranmer had to appear before Dr. Brooks, Bishop of Gloucester, who conducted the investigation on behalf of Cardinal Jacopo Puteo. The charge against him was not only heresy, but also that he had violated his oath of celibacy sworn to the Pope. Now Cranmer was an Archbishop, so the sentence to be passed on him was reserved to the Holy See. He was given eighty days within which to vindicate himself in Rome, and at the end of that time (1555) Paul IV pronounced sentence of excommunication and deposition against him, and ordered that he should forthwith be handed over to the secular power.[34] Ridley and Latimer had to appear before Brooks and two other of their brother bishops, acting on behalf of the Papal Legate in England, Cardinal Pole.[35]

It is interesting to note, as a surprising development, that Benefit of Clergy was in time extended to all who could read, reading being considered the *proprium,* it would seem, of a cleric. Thus, if a layman was condemned to death, the Ordinary of the place might claim him as a privileged person. The accused was thereupon given a black-letter Gothic Psalter, in Latin of course, and was told to read out the opening verse of the 51st chapter—which came to be known as the "neck-verse", for if the Bishop's Commissary announced "Legit ut clericus", the delinquent escaped with his neck but was burnt in the hand.[36] Henry VII in 1488 restricted this privilege by declaring that it should only be allowed once to persons not actually in Orders. Even so, abuses crept in and led to constant friction between bishops and judges throughout the 15th and 16th centuries. The Reformation pretty well ended the *privilegium fori* as far as English Catholics were concerned, and Benefit of Clergy has not existed for others since 1827, when it was abolished by Statute.

Failure to grasp the most elementary facts about the existing *privilegium fori* and its exceptions has led people, generally non-Catholics, to make the most wildly inaccurate statements in this connexion. It has been roundly asserted that

[34] Pastor's *Hist. of the Popes,* vol. 14, p. 376, quoting Raynaldus 1555 n. 30.

[35] *Ib.*

[36] The thumb was branded with M in murder cases, and T ("the Tyburn T") in case of theft or other offences.

no Catholic judge, magistrate or even policeman could discharge the duty he is sworn to discharge, if it involved the bringing of a Catholic priest into court, even as a witness, in any case whatsoever, under pain of excommunication.[37] What of the following fragment—there was more in the same strain—from a letter in the *Daily Express* of 22 December, 1911?[38] "A is indicted for murder or robbery, B, a Catholic priest, is the only witness. C, a Roman Catholic Attorney-General, or Solicitor-General, prosecutes. The latter cannot 'summon' the priest to give evidence, under pain of excommunication, unless he first obtains the leave of his bishop to 'summon' the only witness to the crime."

A hurried discussion of the O'Keefe case,[39] pre-Code though it be, will serve to show what happens in practice, and may provide a suitable ending to this paper. Fr. O'Keefe of Callan had been called to order by his bishop, with whom he had certain differences of opinion. The bishop had but discharged his duty in reprimanding his subject for neglect of duty. The priest, without any permission, took legal action. For the canonical offence of thus impleading his own Ordinary, Fr. O'Keefe was suspended by Cardinal Cullen, acting as delegate of the Holy See. The Cardinal did not, however, proceed to declare Fr. O'Keefe excommunicated, but was content with adding to the suspension a piece of advice about reflecting seriously upon the matter. The whole affair was thrashed out in the Court of Queen's Bench, Dublin, in 1873. Cardinal Cullen made it quite clear that the *privilegium fori,* in so far as it debarred a layman from bringing a cleric into court, did not exist in Ireland or any other country where a legitimate custom had prevailed against it; that the violation of ecclesiastical immunity should be reckoned as "a breach of the law as it was, not of the law as it is now brought down by custom"; that the old privilege and the excommunication decreed in the *Apostolicae Sedis* had nothing to do with this case, since, quite independently of these, ecclesiastics are forbidden to sue other ecclesiastics before the secular courts; that it was a fallacy to infer that, because this special law for the clergy alone applied

[37] Walsh, *op. cit.,* p. 4.

[38] Quoted by Walsh, *op. cit.,* p. 83-5.

[39] Dealt with by Walsh, *op. cit., passim.*

to Ireland, therefore the old *privilegium fori,* affecting both laity and clergy, was also in force; that Fr. O'Keefe, in citing his bishop *praeter canonicas dispositiones,* had incurred the penalty of excommunication decreed in the *Cogentes* clause of the *Apostolicae Sedis;* but that he (the Cardinal) was unwilling to have recourse to the severe measure of himself pronouncing a judicial sentence to that effect.

W. SHARP, S.J.

St. Asaph, North Wales.

Studies and Conferences.

Questions, the discussion of which is for the information of the general reader of the Department of Studies and Conferences, are answered in the order in which they reach us. The Editor cannot engage to reply to inquiries by private letter.

THE ONE SACRIFICE.

To the Editor, THE ECCLESIASTICAL REVIEW.

It has been objected to the explanation of the Holy Mass given by Father de la Taille and myself that it does but add one more theory to the many existing theories; also, that the decree of the Council of Trent assumes, or appears to assume, a sacrifice in the Supper other than that of the Cross. Let me first deal with this latter point.

In his History of the Council of Trent Pallavicini tells us (Bk. 18, Ch. 5, N. 5) that the Fathers refrained from entering upon questions that were in dispute among theologians, contenting themselves with affirming the received doctrine, to wit, that our Lord "in the Supper offered Himself in sacrifice to the Father under the forms of bread and wine", without defining the nature of that sacrifice. This is confirmed by the Rev. J. B. Waterworth in a little work entitled *The Canons and Decrees of the Council of Trent,* published in London in 1848. I quote:

> A third party among the Fathers recommended that the decree should indeed declare that Christ offered Himself to the Father at the Last Supper, under the species of bread and wine, but that no mention should be made of the nature of that offering, seeing that the opinion of the prelates did not agree regarding it. This suggestion, as may be seen by the decree in question, was eventually adopted, and this with only two dissentients.

The Council thus defined that our Lord made the sacrificial offering of His Body and Blood in the Supper, but left the question as to the character of that offering an open one.

To the other objection I reply that what we uphold is not a theory but a thesis. A theory seeks to explain or account for a fact, in our case that the Mass is a true sacrifice; a thesis to

establish a proposition by argument, in our case by proofs from Scripture and Tradition, the proposition being that in the New Law there is but One Sacrifice, and that this One Sacrifice our Lord inaugurated in the Supper when He made the sacrificial offerings of His Body and Blood under the forms of bread and wine, consummated on the Cross, and continued in the Mass forever by the ministry of His priests.

Both Scripture and Tradition attest the oneness of the Sacrifice offered by Christ. Out of Scripture it will be enough to cite the words expressly spoken of Christ as Priest forever according to the order of Melchisedech in *Hebrews* 10:14. "By One Sacrifice He hath perfected forever them that are sanctified". As for Tradition, let two outstanding representatives of the Latin Church and as many of the Greek speak for the rest. "What means it", St. Augustine asks, "that the Hebrew people were so strictly forbidden to taste the blood of sacrifices offered for sin, if by those sacrifices was shadowed forth this One Sacrifice in which the remission of sins is really wrought, while no one is forbidden to take the Blood of this Sacrifice but all rather are exhorted to drink who would have life."[1] Here the Supper, the Cross, and the Mass are the One Sacrifice whereby the remission of sin is at once wrought and obtained. "It was necessary", says St. Leo the Great, "that the things which had been promised in a typical mystery should be by a manifest accomplishment fulfilled; that the true Lamb should set aside the typical lamb; that the diversity of various victims should be terminated by One Sacrifice".[2] "He did not then only take away sins when He suffered", are the words of St. Chrysostom, "but from then until now takes them away; not crucified again and again, for He offered One Sacrifice for sins, but by that One Sacrifice evermore cleansing." And Theodoretus:[3] "If, then, the priesthood of the Old Law has come to an end, and a Priest after the order of Melchisedech has offered sacrifice, and rendered other sacrifices needless, why do the priests of the New Law perform the Mystery? But any one who is versed in divine things knows that we do not offer another sacrifice, but celebrate the memory of that one and salutary oblation".

[1] *Quaest in Hept.* 1, 3, n. 57.
[2] *Serm.* 58, cc. 1, 2.
[3] *P. G.*, tom. 59, col. 116.

Current theories about the Mass assume that the Sacrifice offered in the Supper was other than the Sacrifice consummated on the Cross. If, then, it can be shown that what our Lord offered in the Supper was the Sacrifice consummated on Calvary, these theories are once for all and peremptorily excluded.

Now, this is shown, in the first place, by the foregoing testimonies of Scripture and Tradition. The Council of Trent has defined that our Lord did in the Supper make the sacrificial offering of His Body and Blood. As He offered but One Sacrifice, it follows necessarily that what He offered in the Supper was the Sacrifice consummated on the Cross.

Here is another and irrefragable proof. It is a hundred times made plain in Scripture and Tradition that, as St. Cyprian[4] in an oft-cited passage declares, "the Passion of the Lord is the Sacrifice that we offer." Our unbloody oblation shows forth, as the Apostle has it, "the death of the Lord till He come". Now, what we offer in the Mass is what our Lord Himself first offered in the Supper. We are but doing what He did and bade us do. Our Sacrifice is but the continuation of His. But what we do is to offer the Passion of Christ. Therefore what He did in the Supper was to offer His Passion—His Body to suffer and His Blood to be shed. I say this peremptorily excludes the notion that our Lord offered in the Supper a sacrifice other than the one He consummated on the Cross, and so cuts off at one stroke all the current theories about the Mass.

Our Lord in one place speaking to the Father said: "I knew that Thou hearest Me always".—Jo. 11:42. But in the garden being in an agony, He made this prayer: "Father, if it be possible let this chalice pass from Me". It did not pass; whence we conclude it was not possible. Why? St. Augustine, St. Thomas and the whole school of theologians are agreed that there were not wanting to God ways of saving mankind other than the Passion and Death of Christ. It should, therefore, have been possible to let the chalice pass. There is, indeed, the eternal decree that there should be no remission of sin without the shedding of blood. But this decree was conditioned on the free consent of Christ to suffer, just as the decree of the Incarnation was conditioned on the

[4] *Super Epist. ad Heb.*, c. 8.

free consent of the Virgin Mary to become the Mother of the Saviour. It was only after she expressed her consent that the decree of the Incarnation became absolute. In like manner, it was only after our Lord expressed in solemn ritual fashion, as Priest according to the order of Melchisedech, His will to suffer and to die, and consecrated Himself a Victim for the sins of the world, that the decree of redemption was made absolute. In the Supper He gave Himself over to death by a solemn covenant sealed with His Blood and ratified by the Father—a covenant which could not be revoked. Therefore, when He prayed in the garden, it was no longer possible that the chalice of His bitter Passion should pass. From this we conclude once more that what our Lord offered in the Supper was the death He was about to undergo—not a sacrifice relative to the Sacrifice of the Cross, but the Sacrifice of the Cross itself, which is continued in the Mass for evermore.

Antigonish, N. S., Canada. ALEX. MACDONALD.

THE IMMACULATE CONCEPTION.

To the Editor, THE ECCLESIASTICAL REVIEW.

In the May number of THE ECCLESIASTICAL REVIEW the Rev. J. J. Loughran purports to make two quotations (in quotation marks) from an article by me in the January number, in relation to the Immaculate Conception.

Friends may naturally wonder at these supposed quotations, as they are directly opposed to the views advanced by me and to the whole gist of my article. The fact is, wherever those statements come from, they are *not mine*. The Reverend writer is strangely mixed up. He will have to provide them with some other paternity. Neither in form nor substance, nor in their rather peculiar English, did I use the words or advocate the propositions which he ascribes to me. Just the contrary.

Stranger still, perhaps, while he appears to know of my article, and proceeds to assail it, yet his final conclusion seems somewhat analogous to the views urged by me. I should be glad to think that he understood, and agreed. But those quotation marks!

However, besides this very curious misadvertence, the Reverend writer makes some rather abrupt statements of his own

which, in my opinion, are somewhat incautious. For instance, the curt phrase, "The Mother of Christ was not redeemed", does not seem quite well-sounding, however thereafter explained. Is it not more in keeping with the Church's language, and more sound, to use the words of the Breviary (taken from the Pope's Encyclical): "preservata . . . " *"et idcirco sublimiore modo redemptam"* (vii die in Octav. Imm. Conc.).

Again, he appeared to cavil at the preposition "by"—by the merits of Christ. The preposition is not mine. Still, is not the point, as he puts it, rather casuistical, and moreover of questionable soundness as a pure negation? All grace, at least since fallen Adam, is by reason of Christ's merits—*gratia Christi.* It is certainly correct to say, as I did, in foreview of Christ's merits. There are some other remarks, but let this suffice. I could not let the position presented by my article be represented as just the reverse of its actual purport and intent; nor let it remain so wondrously misquoted.

In all fairness I may be permitted to say that the views which I undertook to present were briefly these:

1. That a current phrase in text books to the effect that the Blessed Virgin "contracted a *debitum* of sin" by reason of her generation by her parents (and consequent descent from fallen Adam), is incorrect and misleading, and is imbued with mischievous corollaries. "To contract" and "to be preserved from" present an anomalous union. The phrase as used bears marks of being a lingering derivative of mistaken notions which themselves denied preservation *ab incepto,* even as to the soul of the Blessed Virgin.

2. So likewise is the assertion of primary concupiscence in her, however qualified by being said to be subsidiarily "cleansed" or "subdued" or "taken away". Such assertion of concupiscence at all (that is, in the lapsed sense), or of *fomes peccati,* in the sense of fallen nature, I argued to be also a mistaken corollary of the old mistake. I urged that no element in her being—neither flesh nor soul—was at any time subject to the ban of original sin, or to the resulting penalties of original sin. So that *ab incepto* in both physical and spiritual respects the Blessed Virgin's being was one of "original integrity"—and better! *Natura pulchrior."* The argument being that the taints of and from original sin were in the

nature of a penalty imposed by God; and that God could and did preserve her being *totaliter* from the attaching of any taint derived from original sin—saving such occurrences as she underwent in imitation of her Divine Son. I particularly repeated the Pope's phrase which strikes the keynote of the principle and the fact: *"Preservata omnino ab originis labe"*.

3. The suggestion was indicated that it is this condition and state of "original integrity"—together with the other exceptional graces vouchsafed to her—which presents a groundwork for her unique sinlessness through life. A sinlessness which, under the Council of Trent, is morally beyond general fallen human nature. In like manner this original integrity of being and nature furnishes an auxiliary element in the consideration of the Blessed Virgin's corporal Assumption.

These were some of the considerations which I ventured to present in an article of last January. The reader may judge how completely the Rev. J. J. Loughran has conveyed just a reverse impression of it and of my position.

The incident affords me the opportunity to add this remark in regard to my references to Father Lepicier. There can scarcely be named a more learned and more devoted living exponent of Marian theology than Father (now Bishop) Lepicier. His splendid treatise is one to be cherished by every zealous and studious client of the Blessed Mother. In venturing to instance, and to controvert, a few propositions in question in that treatise, it was precisely, as I stated, because he fairly represented the flower of current exposition in the particulars at which my criticism was aimed. Thus differing views were made direct and vivid. Thus also an inquirer could readily refer to the best presentation of views adverse to those which I submitted.

Happy those who study, and re-study, in his pages; as in those of the golden treatise of the late Father Terrien, S.J., on *The Mother of God*. Happy indeed to learn from them to reinforce and extend our knowledge and admiration, as well as our love and devotion, of the Blessed Queen of Heaven, the new and perfect Eve, our own Mother in grace.

May we not all, however humbly, join hands in seeking the fittest and most accurate expression of her praise.

ALBERT REYNAUD.

DE ACTIBUS CONJUGUM QUI DICUNTUR IMPERFECTI.

Conspectus Capitum.

I. De Naturalibus Vitae Conjugalis Adjumentis.
II. De "Actibus Imperfectis" Conjugum:
  A. De Eorum Liceitate;
  B. De Eorum Obligatione.
III. De Fine Honesto in Actibus Imperfectis Intendendo.
IV. Instructio Nupturientium.
V. Variae Annotationes.

I. De Naturalibus Vitae Conjugalis Adjumentis.

Ut usus ciborum summi est momenti ad existentiam individui, ita ad existentiam generis humani in tota rerum natura nihil magis est necessarium quam usus rerum matrimonialium. Utrisque summa sapientia Deus id indidit ut quadam delectatione et etiam quodam sui desiderio homines afficerent, quo certius et melius peragerentur.

Et re quidem vera, quotusquisque ederet et biberet, si eodem labore, quo opera quotidiana, etiam ciborum sumptio esset subeunda. Et vix quidquam majorem medicis timorem movet, quam si aegroti incipiunt cibos fastidire.

In matrimonio autem multo magis aliqua quasi naturalia incitamenta necessaria sunt. Nam edunt quidem et bibunt homines ad suam ipsorum vitam conservandam. Matrimonii autem fructus totus aliis personis et generi humano prodest. Neque enim cura atque educatio filiorum qua talis quidquam ipsis parentibus beneficii affert, sed potius laboris infiniti et innumerarum causa est molestiarum. Quare sapientissime auctor naturae iis qui inito matrimonio sese propagationi generis humani dedicarunt, magnas quasdam voluptates permittit. Immo totam hominis naturam ita creavit, ut explendis variis muneribus status conjugalis summa delectatione homines afficiantur.

Quae quidem delectatio et in ipso generationis actu percipitur et tota vitae societate familiarique amicitia alterius sexus personae efficitur. Illae quidem voluptates quae ad actum conjugalem restringuntur, in se consideratae materiales atque carnales sunt. Societatis autem atque intimae amicitiae delectatio carnali elemento nequaquam caret, altiore tamen atque minus caeco. Corporum enim materiali pulchritudine et

materialibus amoris et familiaritatis signis magna ex parte et nititur et censervatur et augetur. Verum huic elemento pars multo nobilior et praestantior admixta est, nempe, animorum unitas atque ipsarum mentium mutua eaque intima conjunctio.

Harum autem rerum desiderium propter summam matrimonii necessitatem tam alte Deus naturae hominum impressit, ut haec sit omnium cupiditatum vehementissima, qua etiam uri homines a S. Paulo dicantur, adeo ut, qui ob Dei amorem a matrimonio abstineant, quodammodo ipsam naturam superare existimentur. In statu quidem originalis innocentiae indomita haec concupiscentia singulari Dei providentia intellectui hominis omnino parebat, non minus quam appetitus ciborum rerumque externarum. Per peccatum omnes hominis inclinationes rebelles factae jam freno indigent, ne in res vetitas ferantur, sed intra eos limites contineantur, ubi licite iis homo frui possit.

Quod si matrimonio haec delectamenta addita non essent, si matrimonium solis officiis, oneribus, molestiis consisteret, quasi quoddam ergastulum ab omnibus fugeretur, neque quisquam tam grave parentum munus susciperet.

Christus autem Dominus matrimonio unitatem quidem et indissolubilitatem restituit, at de aliis rebus nihil dempsit, immo illud intimae amicitiae bonum ad summam perfectionem evexit, totumque ut erat a natura institutum matrimonium typum esse voluit sanctissimae suae cum ecclesia unionis.

Hominibus vero solutis omnes illas delectationes graviter illicitas esse omnino patet. Necesse est enim eas iis solis reservari, qui inito matrimonio quantum in ipsis est ad generandam educandamque prolem sese aptos effecerunt.

Ex iis quae diximus variae conclusiones ducendae sunt.

Sequitur enim *primo* has delectationes cum ab ipso Deo matrimonio sint additae, a nullo prorsus homine, nisi divinam ad hoc habeat potestatem, aut aliae obsint naturae leges, posse prohiberi vel ullo mandato minui.

Sequitur *secundo* matrimonia, si his naturalibus adjumentis sint orbata, plerumque non fore talia qualia Deus esse vult. Nam quod naturalibus mediis obtinendum est, praeternaturalibus Deus efficere non solet. Neque igitur quum hae delectationes ab altero conjuge recusantur, Deus miraculo concordiam inter conjuges conservat vel restituit. Neque uxorem

quae a viro negligitur tentationibus quasi naturaliter ortis liberat. Neque ubi uxor fucato pudore viro placere non studet, vir ex caupona vel aliunde per Angelum Custodem reducitur domum. Haec adjumenta tantum sunt, ac nisi legis divinae obligatio accedat, valde infirma; sed cum a Deo non sine ratione sint addita, ut plurimum non sine damno neglegentur.

Sequitur *tertio,* quantopere oporteat eos qui conjugum conscientias regunt nosse et intelligere quid de his privilegiis matrimonialibus censendum sit, et eos etiam a quibus sacerdotes ad confessiones audiendas instituuntur, graviter obligari ut sanam doctrinam et ipsi habeant et suos discipulos cum prudentia doceant.

Sequitur *quarto,* non posse esse difficile de his rebus ita conjuges instruere ut non solum peccata mortalia et venialia evitent sed tota re matrimoniali ad salutem animarum suarum cum magno merito utantur. Nam status matrimonialis est immediate ab ipso Deo institutus ad suam gloriam, est status valde consentaneus naturae, est status maxime communis atque is in quo plurimi homines Deo servire et suam mercedem sempiternam promereri debeant. Quare insipientiae Deum accusaremus, si putaremus infinito regularum apparatu et novis quasi pandectis opus esse ne homines inter ordinaria vitae ordinariae officia et jura animas suas perdant. Deus ipse non plus praecepit quam: Non adulterabis. Res insolitae utique si occurrant, et in aliis materiis et in hac, insolita nostra diligentia indigent.

Neque tamen sequitur nos sacerdotes sine ullo periculo doctrinam necessariam comparare et applicare posse. Ut enim natura vincatur, supernaturalibus mediis et pugna opus est ne naturalibus desideriis ipsi superemur. Sed si orationi instamus omnemque pietatem colimus, si intentionem bonam habemus, si nihil quaerimus nisi gloriam Dei animarumque salutem, si spem nostram inter tentationes quae forte oriuntur in solo Deo positam tenemus, saltem sine timore agere licebit. Nam tandem ab ipso Deo ad omnia sacerdotii officia vocati sumus tamquam Aaron. Quare cur timeamus ne Deus qui novit figmentum nostrum, nostrae infirmitati succurrere omittat? Recordabitur quoniam pulvis sumus, modo ne negligamus facere quae prudentia suadebit.

II. De "Actibus Imperfectis" Conjugum.

A. de eorum liceitate.

Hucusque de omnibus generatim matrimonii delectationibus tractavimus. Nunc ad unam speciem descendamus, sc. ad delectationes quae percipiuntur actibus imperfectis. Hos actus, ut aspectus, tactus etc. non solum ad copulam habendam sed etiam alio tempore conjugibus per se licitos esse non est cur hic probetur. Nam ut auctoritatem omnium moralistarum omittam, ipse Sanctus Spiritus ut castissimum illud spirituale foedus Christum inter et Ecclesiam proponat, in Cantico Canticorum amantissimos conjuges describit his ipsis actibus occupatos, praesertim capite 7., id quod fieri omnino non posset si eae res vel venialiter essent prohibitae.

Inquiremus autem hic de iis actibus potissimum, quae fiunt extra copulam.

In his moralistae distinguunt inter actus tales qui fiunt sine periculo pollutionis praeviso, et eos qui fiunt cum tali periculo. Qua in re primum notandum est, non fieri distinctionem secundum objecta seu partes corporis quas tangere vel non tangere liceat. Ac ne ille quidem actus quem moralistae plerumque separatim nominant, qui ore fit, excipiendus videtur. Enumerat P. Noldin in praeclaro illo libello de sexto praecepto (ed. 7, p. 85) summa auctoritate viros qui ita censent. Alii quidem eum actum semper peccatum esse putant. Verum specialis malitia certe probari non potest. Nam ea ex foeditate sola repetenda esset; attamen "inter conjuges nulla est nec fingi potest actio quae ob solam foeditatem adeo sit intrinsecus mala ut nunquam licita fieri possit." Quis e. g. ullius peccati damnaret virum qui tali actione suspicionem uxoris subito detectam dispellere conetur? Sed si dicatur, licere ob sufficientem rationem, quis de sufficientia rationis judicabit et judicare potest nisi conjuges? Praeterea "foeditas" est conceptus relativus. Alia enim foeda videntur hominibus rusticis, alia urbanis; alia pueris, alia senibus. Et cum tanta sit tam essentialis differentia inter statum conjugum et solutorum, facile profecto fieri potest, ut quod alteris videtur foedum, alteris foedum non videatur. Nonne multis qui virginitatem peramant totum commercium matrimoniale foedissimum apparet? An ideo foedissimum est? Sinamus igitur ipsos conjuges de hac re judicare. Atque interrogati dicamus,

licere id facere quamquam praestet ab invito non exigere. Eo facilius nos eam regulam observare poterimus qua nobis suadetur ut de actibus conjugum quam paucissima loquamur.—

Fit autem distinctio actuum imperfectorum secundum aptitudinem qua pollutionem causare vel non causare possunt. Et quando praevidentur fieri cum proximo periculo pollutionis, illiciti sunt, nisi duae conditiones impleantur: primo ut adsit causa sufficiens; secundo ut absit periculum consensus.

Sed in praxi hae duae conditiones facile impletae esse censeri possunt.

Nam quoad primam conditionem rationis sufficientis: hae rationes ab omnibus recensentur sufficientes: ut mutuus amor ostendatur, ut comparti petenti obediatur, ut suspicio avertatur. Harum autem rationum una vel altera vix non semper aderit. Et quando adsit quando non adsit, soli conjuges dijudicare possunt, cum id concretis circumstantiis temporis, loci, personarum determinetur, quae solis conjugibus satis notae sunt.

Ad periculum autem consensus quod attinet, monent, moralistae, non facile conjuges de malitia consensus in pollutionem sic admissam edocendos esse, ne ex peccatis materialibus fiant formalia. Quae cum ita sint, satis habeamus conjuges graviter admonere pollutionem VOLUNTARIE ET EXPRESSE quaesitam esse peccatum semper grave, et unicum peccatum mortale quod conjuges committere possint praeter adulterium.

Pauca hic dicenda sunt de actibus imperfectis solitariis, i. e. de iis actibus, quos conjux exercet quum omnino solus est. Dico: quum omnino solus est. Nam etiam quoties conjux cum conjuge ejusmodi actibus indulget vix fieri potest quin utraque persona etiam proprium corpus aspiciat, tangat etc., atque ex eo quandam voluptatem percipiat, idque certe minime peccatum est. Actus autem vere solitarii quos moralistae alii dicunt venialia, alii, pauci tamen, etiam mortalia, semper periculum praebent, ne amor erga alteram personam paulatim refrigescat, et pollutionis vel adulterii tentationes excitentur atque increscant. Si igitur apparet conjugem in hoc deliquisse vel ad hoc multum tentari, de tali periculo moneatur.

B. DE OBLIGATIONE ACTUUM IMPERFECTORUM.

Ut de liceitate actuum imperfectorum constat, ita de obligatione eos reddendi aut permittendi non multa apud moralistas legimus. Sed primum quidem obligationem eamque gravem esse reddendi et permittendi actus imperfectos, si ad copulae delectationem plene habendam necessarii sint, negari non potest; talis enim negatio recusationem debiti conjugalis aequaret.

Minor vero quaedam obligatio omnino statuenda est reddendi et permittendi actus imperfectos etiam extra copulam.

Nam matrimonio inito uterque conjux jus adquirit ut corpore alterius utatur ad delectationem veneream vel completam vel incompletam licito modo quaerendam. Sed hic modus est licitus. Ergo ad eum adhibendum jus habet.—Quod jus simile est juri ad copulam cum uxore gravida, vel inter seniores.—Praeterea fieri potest ut alter conjux, sive vir sive mulier, iis actibus quasi indigeat, e. g. ad amorem erga conjugem hic et nunc fovendum, vel ut se tentatione liberet, vel suspicionem in se vel altero tollat. Sed hoc facere saepe non posset, nisi strictam potestatem haberet ejusmodi actus ab conjuge exigendi, etiam nulla causa indicata.—Mirum profecto esset, si conjux ab conjuge magnam rem, scilicet copulam, sub peccato gravi posset exigere, dum ad minora nullum prorsus jus haberet.—Experientia certe constat, summam inter conjuges esse concordiam, ubi his actibus quaemadmodum Sponsus et Sponsa in Cantico inter se delectantur. Qui divortia meditantur ita cum uxore vel marito non agunt.

Quare omnino dicendum est ad actus imperfectos postulanti reddendos vel permittendos obligatos esse conjuges, eo utique modo qui nec amori nec sanae rationi sit contrarius.

Quod si de uno vel altero actu tantum agitur plus quam aliqua obligatio sub veniali statui nequit, et nisi tales actus generatim recusantur, facillime adest ratiuncula excusans. Si vero vel multi actus vel omnes per longum tempus recusantur etiam si ad copulam praestantur, et multo magis si e. g. uxor statuerit se eos per totam vitam recusaturam esse, non video quomodo a gravi excusetur. Vir enim certe talem mulierem non duxisset, si scivisset se matrimonii onera omnia, privilegia nequaquam omnia recepturum esse.

Hac in re consolandae sunt imprimis piae uxores, quae haec nonnunquam aegre ferunt illisque dicendum est haec omnia ipsis omnino casta esse, propterea quod status conjugalis tam essentialiter a statu caelibum differat. Uxores si viris etiam hoc modo placere studeant non solum non peccare, sed merita comparare. Has omnes esse significationes amoris non fraterni vel materni sed conjugalis, qui iis magnopere foveatur et augeatur. Uxores ut cum magna cura domibus praeesse oporteat et cibos praeparare et liberos educare, sic etiam his rebus viris placere debere, eorumque desideria implere, etiamsi non expresse rogentur. Ita matrimonia a Deo instituta esse. Ostendatur iis quam gravia sint officia vivorum quam multis facile impugnentur tentationibus. Doceantur ipsorum merita non minui etiam si hi actus ipsis grati sint et delectabiles. Neve facile iis credatur quae dicunt se illa nimium horrere. Agitur enim jus alterius, neque usum hujus juris uxores restringere possunt. Quodsi iis revera grata non sunt, ferant ut alia sui status onera. Sunt tamen quae viros suos laborare velint pecuniamque servorum instar comparare dum ipsae domi regnent neque quidquam vel vix quidquam faciant quo societatem suam viri adamare possint. Imprimis aetate paululum progressae viros fere omne jus amississe nihilque retinuisse putant nisi obligationem laborandi. Saepe cum de viris suis mulieres devotae vel non devotae conqueruntur, hic haeret aqua, id est, ipsae suis viris uxores esse nolunt, sed fortasse sorores, saepius dominae.

Idem nonnunquam ex adverso de viris dicendum. Nonnulli enim quadam superbia sese his rebus majores esse imaginantur, vel negotiorum officiis occupati de uxoris desideriis non cogitant, vel carent naturali illo tenerioris affectus sensu. Atque ita fit ut eorum uxores, quae maritalis amoris significationes non solum desiderant sed etiam esuriunt, magna miseria afficiantur. Noverint hi viri uxores ad eos actus jus habere. Noverint quam facile suas uxores beatas reddere possint. Noverint non sine crudelitate eos actus uxoribus negari.

Meo quidem judicio non potest melior his de rebus dari conjugibus instructio quam si eis commendatur lectio Cantici, ubi amor conjugalis, in sublime quidem elatus, attamen vere ut est describitur. Non omnia quae in eo libro legent intelligent, partim quia penetratio sensus mystici plus requirit quam meram

lectionem, partim ob versionis nostrae Anglicae imperfectiones. Sed quae ad ipsos pertinent facile videbunt.

III. De Fine Honesto in Actibus Imperfectis intendendo.

Moralistae cum de liceitate actuum imperfectorum agunt, plerumque valde insistunt in hoc ut in iis finis intendatur honestus. Qua conditione addita multo difficilius fieri videtur ut conjuges his actibus exercendis a peccatis (venialibus) liberi maneant.[1] Sed re vera bonum honestumque finem in his rebus intendere difficile non est. Nam omnes moralistae concedunt significationem amoris conjugalis esse finem honestum. Quae quidem amoris significatio profecto est summi momenti res. Nam conjugum inter se amor est fundamentum familiae, est pignus educationis liberorum, est murus calamitati divortiorum objectus. Nec est ille amor pure spiritualis, sed elementum materiale ex natura sua ut vidimus sibi additum seu potius inditum habet. Est enim quaedam commixtio materiae et spiritus, naturalium et supernaturalium, nec quidquam de his, in communi quidem rerum ordine, impune deesse potest, et omnia illa elementa mirum in modum inter se juvant. Quare apparet quam vere moralistae significationem illius amoris, signis materialibus exercendam, honestum homineque dignum finem actuum conjugalium esse proclament.

Jam vero inter Christianos conjuges pauci profecto invenientur, quibus in usu privilegiorum suorum amor conjugalis ejusque significatio non prae mentis oculis versetur saltem quantum satis est ad honestatem moralem actuum. Quando enim his actibus indulgent, quasi sponte eos ad alteram personam referunt, aut suum amorem ostendere volentes, aut alteri placere cupientes.—Qui vero adeo carnales sunt ut amoris omnino obliviscantur, non facile nos interrogabunt nec ullis instructionibus convertentur, nec si peccant generatim plus quam venialiter delinquunt.

[1] Mirum est quam multas de usu delectabilium in statu matrimoniali leges nonnulli moralistae proponunt. Vix quidquam dicitur de usu delectabilium quae omnibus hominibus communia sunt, ut de delectationibus mensae, de longis itineribus voluptatis vel recreationis causa susceptis, de ludis privatis, de spectandis ludis nationalibus, etc. Sed cum ad res matrimoniales ventum est, paginae implentur regulis, legibus, conditionibus, exceptionibus, adeo ut nemo credere possit statum nuptorum ab Ecclesia pronuntiari statum vere bonum, cum nihil aliud videatur esse quam peccatorum et mortalium et venialium fertilissimum seminarium.

Praeterea P. Noldin de fine in copula habendo sic dicit: "Quod si nullus finis honestus positive intendatur et actus conjugalis fiat hac positiva intentione capiendi voluptatem, actus dicendus videtur honestus, dummodo in ejus exercitio nulla ex parte excedatur contra praescripta rationis, et actus tamquam licitus vel saltem non illicitus apprehendatur. Actus enim ipse licitus est, in modo exercendi actum et capiendi voluptatem servatur ordo a natura praescriptus i. e. concupiscentia regitur a ratione et voluntate; ergo actui nihil deesse intelligitur, quominus naturae rationali sit conveniens ideoque ordinabilis et objective ordinatus in Deum finem ultimum". Haec de copula generatim dicta sunt, ideoque etiam vera sunt de copula habita inter steriles, vel cum uxore jam gravida, vel inter senes. Quare ad actus quoque imperfectos cur non applicentur profecto non est.

Utilissima est hac de re Patris Christiani Pesch, S.J., disceptatio brevis de fruendis rebus delectabilibus generaliter. "Quaestio dijudicanda manet, num liceat appetere delectationem, non quidem ob aliquam ejus utilitatem aut honestatem, sed propter seipsam quatenus tamen apprehenditur ut alioquin honesta vel licita et moderata." (Moderatam delectationem eam intelligere debemus, qua fruenda nullum aliud officium laeditur, quamquam fortasse major sit quam regulae mortificationis permittunt.) "Ad quaestionem ita positam videtur tuto affirmative responderi posse. Quia quaerere delectationem licitam, et regulatam rectae rationis judicio, est quaerere id quod a naturae auctore homini ut appetibile proponitur, ut homo hoc modo ad agendum alliciatur. Ergo cum homo delectationem moderatam et licitam appetit, facit quod Deus vult, neque male facit, neque talis actus videtur indifferens esse, sed honestus, non in summo quidem sed in infimo gradu honestatis. Utique non ipse actus elicitus delectationis ex interna sua natura est honestus, sed honestas ei accedit ex rationali voluntate imperante et dirigente, quae non permitteret delectationem nisi esset honesta." (*Praelectiones Dogmaticae,* Vol. III, p. 330.) Aliis verbis: multum interest inter agere propter delectationem et agere propter delectationem SOLAM. Qui agit propter delectationem solam, etiam ageret si sciret eam esse peccaminosam.

Non igitur peccant conjuges, sed meritorie agunt, infimo quidem gradu, quamdiu generali modo ad liceitatem talium actuum advertunt (sive actualiter et expresse sive virtualiter et per modum habitus) etiam si de amore non cogitant. In concreto vero amoris mutui vix unquam obliviscuntur, et ita ad altiorem gradum suas evehunt actiones.

Quae cum ita sint, non est cur timeamus ne conjugatis in usu jurium suorum facile desit recta intentio.

(Legentibus Canticum Canticorum tota haec de fine honesto actuum imperfectorum difficultas evanescit.)

IV. Instructio Nupturientium.

His statutis videamus, quomodo nupturientes de his rebus instrui possint. Dico, de his rebus. Multa enim alia dicenda sunt, ut de pace et concordia servanda, de subjectione uxoris in rebus domesticis; gravissime loquendum est contra praxes onanisticas et forte etiam contra varias artes modernas ad impediendam conceptionem, quae pestis etiam optimas familias nostras inficit, de adulterii et completi et incompleti tanta malitia, quae tot poenis in Vetere Testamento mulctabatur. Sed de nostra re ita fere dici posse censeo.

1. Conjuges inter se unum tantum peccatum idque mortale committere possunt, sc. si *voluntarie et scienter* aut impediunt generationem aut intendunt habere pollutionem. Si quid vero ex his fit quod non praeviderunt et fieri noluerunt, non peccant.

2. Ipsis ergo licet omnia facere quae ad copulam necessaria vel utilia vel grata sunt, etiam ad voluptatem illam plene sentiendam, et tunc neutra persona neque in suo neque in alterius corpore aspiciendo vel tangendo vel ullo alio modo peccare potest.

3. Neque ulla eis imponitur restrictio in ostendendo inter se amore, ita ut nec visu nec tactu nec ullis aliis amoris manifestationibus peccare possint, ne temporis quidem duratione quo id faciunt, modo alia officia majora ne neglegant.

4. De his rebus sibi licitis etiam inter se loqui, et de iis cogitare easque desiderare licet. Melius quidem est, si de iis non multum cogitant, quamquam cogitando non peccant.

5. In his rebus uxor et vir aequale habent jus, ita ut uterque eas ab altero exigere possit.—Quodsi copula sine ulla prorsus causa postulanti negetur, peccatum mortale est.

6. Sed in his rebus multo magis amore et studio placendi duci debent quam timore peccandi. Et gratius Deo faciunt, si antevertunt alterius desideria, quantum circumstantiae permittunt, quam si quasi expectant mandatum. Sed verus amor etiam vetat exigere quod alterum possit incommodo afficere.

7. Peccata omnia conjugum cum tertia persona duplo graviora sunt quam essent inter solutos, quia sunt de scelesto adulteriorum genere. Cogitationes de talibus peccatis et eorum desideria etiam mortalia peccata sunt, sed tantum si sunt vere voluntariae nec ulla iis opponitur resistentia.

8. "Haec omnia et jura et officia sic manebunt per totam vitam vestram, etiam quando liberos jam expectare non poteritis. Neque unquam harum rerum mentionem in confessione facere debetis, quia si facitis, confessarii facile suspicantur aliquid mali commissum esse. Quod si quid omnino novi occurrat vosque vere et serio dubitetis sitne peccatum mortale annon, praestat audacter interrogare quam angi conscientia."

9. "Mirari non debitis castitatem vestram nunc tantopere differre ab ea castitate, quae vobis hucusque erat colenda. Sed totus vitae vestrae status omnino alius est. Nec estis frater et soror nec dominus et ancilla. Deus vos in judicio severe judicabit de multis rebus de quibus alii non interrogabuntur. Officia enim vestra prorsus alia erunt. Propterea vobis illa omnia libenter permittit, quo melius amorem conjugalem fovere atque matrimonii onera portare possitis."

Hac instructione, quae in linguam vernaculam versa brevi tempore dari vel etiam legi potest, omnia puto contineri, quae de privilegiis matrimonialibus sciri opus est.—Multi quidem nupturientes non mirabuntur tam multa facere licere, sed potius tam multa facere non licere. Expectant enim licere procurare abortum, saltem primo anno vel post tertium partum, adamare alias mulieres vel viros etc. Se ad reddendum debitum graviter obligari nonnulli vix credunt. Multi enim libri de rebus matrimonialibus Anglice scripti, alioquin non inutiles, qui ab Acatholicis magno sumptu eduntur atque etiam a Catholicis praesertim mulieribus avide leguntur tales justitiae obligationes partim attenuant partim simpliciter negant.

Forsitan aliquis putet in instructione peccata venialia non indicari. Sed id consulto factum est. Nam procul dubio

praestat permittere peccata parva materialia quam non clare ostendere quae actiones certo peccata mortalia non sint, ne ea quae ad onera matrimonii mitiganda instituta sunt cedant ad augendas tentationes et fiant occasio ruinae animarum—per conscientias erroneas.

Vocabulum "licet" et similia tam saepe reperiri ne cui laxismum sapere videatur. Est enim matrimonium non abstinendi status sed fruendi, nec de ejus juribus aut oneribus nos quidquam demere possumus.

Evitatur in instructione omnis enumeratio actuum in particulari, quod ut fiat a moralistis suadetur. Si in negativis locutionibus, in numeris 1, 2, 3, satis insistitur, conjuges revera omnia sciunt. Addi potest ad numerum 3 si videtur, haec verba brevia esse sed permulta iis contineri eaque omnia fieri licere. Sitne unquam necesse descendere magis ad particularia charitas et pastoralis prudentia docere debet.

V. Variae Annotationes.

Actus imperfectos sibi licitos esse plurimi conjuges quasi natura ipsa docente didicerunt. Plerumque tamen valde gaudent si paucis verbis omne dubium a sacerdote praecluditur. Nec desunt ubique qui actus omnes quatenus non ad copulam omnino sint necessarii peccata venialia aut etiam mortalia esse putent. Equidem aliquando ad virum aegrotum vocabar, qui per aliquot annos matrimonio junctus fuerat et eodem tempore a sacramentis abstinuerat. Nam primis post nuptias hebdomadis ejusmodi actus cum uxore peregerat eosque tam gravia peccata putabat ut absolutionem se recipere posse desperaret. Item non semel in missionibus inveni et viros et uxores qui has res graviter vetitas esse rati ad parochos accedere prae verecundia ausi non erant aut eas in confessione contra conscientiam erroneam omiserant.—Harum rerum variae sunt causae. Nonnulli enim sacerdotes gravissimum illud munus instruendi nupturientes omnino neglegunt, aut ita loquuntur ut intelligi non possint, aut interrogaturos repellant. Sed saepe homines, maxime pii, ea quae nuptiarum tempore audierunt postea in dubium vocare coeperunt, id quod fieri potest auditis concionibus de excellentia castitatis. Nonnulli in confessionibus de iis quae accusabant vel interrogabant non satis clare edocebantur. Quare tandem sacerdos cum bona mulier confitetur se nimia viro permisisse non dicit: "Non potes viro tuo nimia

permittere, nisi etc." (secundum instructionem). Inveniet fortasse onanismum esse commissum graviterque de tanto scelere loquetur. Sed fortasse inveniet nihil subesse nisi erroneam conscientiam. Salus animarum suprema lex esto, et docebit charitas quam decenter etiam de his rebus dici possit. Necessarium etiam est de omnibus conjugum officiis conciones aliquando fieri, ad quas soli conjuges admittantur, quo efficacius verba fieri possint. Aliter accidere potest ut et officia sua et jura obliviscantur.

Accedit quod nonnulli sacerdotes nimio zelo aliquid saltem asceseos introducturi esse videntur in matrimonia. Piis enim mulieribus suadent ut raro aut nunquam tales actus extra copulam viris suis permittant. Quos sacerdotes misericordiae Dei enixe commendemus. Nostris enim temporibus, ubi innumerae illecebrae, ubi facilitas divortii civilis homines ad onera declinanda invitant, summae est imprudentiae, tam intempestiva ascesi jura matrimonii velle minuere—ut sileam gravem injustitiam, cujus tales sacerdotes fiunt complices. Sanctus quidem Paulus, quamquam omnes vult esse sicut seipsum, i. e. caelibes propter Deum, tamen conjugatos Christianos potius videtur urgere ut eis rebus quae licitae sunt indulgeant. Abstinentiam fieri vult tantum "ex consensu ad tempus, ut vacetis orationi; et iterum revertimini in idipsum, ne tentet vos satanas propter incontinentiam vestram." (I Cor. 7, 5.)

Simul tamen quaedam voluntaria abstinentia bonis conjugibus potest suggeri. Nam aliquando a commercio maritali refraenare cogentur vel morbo vel absentia alterius vel aliis causis. Quod cum fit, melius tentationes superabunt si voluntaria abstinentia sese praeparaverint. Praeterea et in aliis rebus et in hac materia mortificatio Deo grata est, quamquam majore hic cautione opus est quia jus alterius interponitur. Suggeri igitur possunt brevia tempora quibus sese contineant, e. g. vigiliae festorum, vel certi dies Quadragesimae, vel vigiliae dierum quibus ambo ad sacram Communionem accedunt. Verum clare statuendum est obtemperandum esse si contra hoc propositum alter conjux quidquam postulet; et etiam ostendendum, sacram Communionem nullo modo a praevia abstinentia pendere, id quod ex documentis a Pio X promulgatis elucet.

Alioquin etiam nostris temporibus ad bonum commune magis conducet, si "unusquisque suam uxorem habeat" i. e. privilegiis suis utatur, "et unaquaeque suum virum."

FRANCISCUS.

THE MARRIAGE OF DOUBTFULLY BAPTIZED NON-CATHOLICS.

Reply to Father Prümmer, O. P.

To the Editor, THE ECCLESIASTICAL REVIEW.

The July issue of the REVIEW carried a communication from Father Prümmer, the noted theologian-canonist of the University of Freiburg. Father Prümmer, when he wrote his letter, had not seen the June number of the REVIEW wherein I joined issue with Father Creusen on the intrinsic phase of the doubtful baptism and the "favor fidei" question. Consequently he insists mostly on points already agreed to. His principal contention is that in practice there can be no thought of allowing the Pauline privilege where there is a double doubt of baptism. The June article concurs in that position; but it demurs to the theoretical side of the question, arguing that there is still hope of Rome's giving a favorable response to the applicability of canon 1127 in cases of two doubtful baptisms and in cases of one doubtful and one certain baptism. The article clearly distinguishes between the presumptive and the actual use of the "favor fidei". Only good morals, the article maintains, can be a reason for not allowing that privilege presumptively; since we appear to have merely another instance of the far-reaching principle of probabilism. Or, as I put it, spiritual, like corporal potency, is to be presumed, not proved.

The controversy, therefore, has entered this stage of the question: Can the Church permit the presumptive use of the "favor fidei" where a convert has a marriage doubtfully natural, either because there are two doubtful baptisms or because there is one doubtful and one certain baptism?

It is this thesis that we would like to see the distinguished author of Freiburg write upon. And it is only the affirmative side of this thesis that we are seriously inclined to defend. Various incidental issues could be raised; but such issues are liable to becloud the outstanding question, the one thing that matters with pastors who are anxious to validate civil marriages already contracted and prevent civil marriages likely to be contracted. Yet there are three points of sufficient indirect value to take up in detail. They are: the alleged change wrought in declarations of nullity by canon 1070; the supposed bar placed by clause two of that same canon to the presumptive use of the "favor fidei"; and the connexion between the Helena case and the newly defined controversy.

The Alleged Change made by Canon 1070 § 2.

I had said in my first article (January, 1924) that only the principle enunciated in canon 1127 could explain certain decisions given by the Holy Office prior to 1918, such as a declaration of nullity in a marriage between two doubtfully baptized persons related within the fourth degree and between a doubtfully baptized and an unbaptized person. I was intent on showing that instances of the principle were warrant enough to conclude to universal applicability, unless decisive intrinsic or extrinsic reasons stood against it. If the decisions of the Holy Office were merely judicial and not dispensatory, as authors like Wernz thought there were grounds for holding, then a probable obstacle of an indissoluble union would not interfere with the presumptive use of the principle. Of course decisive extrinsic reasons have since developed against my argument for universality. Up to that time, however, no European author to my knowledge had made any express restriction, although only one author was quoted as explicitly allowing the principle to be applied in the case of two doubtfully baptized persons.

Now Father Creusen meets that argument by saying that both decisions can be explained by the Church's former jurisprudence, which construed doubtful baptisms as presumptively certain, even if a declaration of nullity were involved. The Creusen-Vermeersch *Epitome Juris Canonici* points this out as changed by canon 1070 § 2. Father Ayrinhac takes the same view in the July number of the Review. While Father Prümmer makes no mention of this, one of his arguments might be thought to suppose it. Anyhow the point is worth elaboration. I wager it was erroneously acted upon in many quarters prior to the Code. A Methodist or Baptist, for example, married to an unbaptizel person was declared to have an invalid union even in cases where no conversion took place.

Things were quite the other way about. Investigation discloses, as I had asserted, that the "favor matrimonii" was the same before the Code as after it. Validity was always presumed, saving the privilege of faith. Now for the proof.

The Sacred Rota in 1911 [1] quotes from an instruction of the Holy Office issued 5 June, 1889, to establish the actual prac-

[1] DuBreuil-Denison case of nullity, *Acta Apostolicae Sedis*, Vol. III, p. 400.

tice of the Church in regard to declarations of nullity on the score of non-baptism. The quotation is an intimation of the wording of canon 1070 § 2: "Quando agitur de impedimento disparitatis cultus, et evidenter constat unam partem esse baptizatam et alteram partem non fuisse . . . matrimonium poterit ab Ordinario declarari nullum".

This ought to be sufficient to prove the jurisprudence of the Church on the point before 1918. But if confirmation is desired, it may be found in the famous Savannah response of 8 August, 1883 appended to the Decrees of the Third Council of Baltimore. In that document the Holy See sanctioned two principles professedly, and the first was that, where doubts of baptism were *positive,* the validity of marriage was to be presumed.

Yet this unchanged jurisprudence has no direct bearing on the double doubt of baptism and the "favor fidei". It does indicate, however, that before the Code the "favor fidei" did in some cases override the "favor matrimonii".

The Supposed Bar of Canon 1070 § 2.

Father Prümmer cites canon 1070 § 2 as an argument against construing doubtful baptism as presumptively null "in favorem fidei". We have just seen that this canon introduces no change and that the former jurisprudence was identical. Yet under the pre-Code procedure there were declarations of nullity in cases of doubtful baptism and non-baptism. So the old rule had its exceptions. Besides, under the former law there was no distinction between Catholic and non-Catholic baptisms, so far as the impediment of "disparitas cultus" went; it held wherever baptism existed. Now things are just the contrary. The first part of that canon exempts all but Catholics from that impediment. There can be no thought of a non-Catholic marriage since 1918 being declared null on the grounds of non-baptism. So how can clause two have any bearing one way or the other on two doubtful baptisms of non-Catholics? It is not to the *jus constitutum* but to the *jus constituendum* that we must look for legal help in interpreting the extent of canon 1127. And already we seem to possess the first approach to that *jus constituendum.* I refer to the Helena case.

Import of the Helena Case.

Quite rightly have Fathers Prümmer, Creusen and Ayrinhac observed that the Helena decision is not a case in point. For in that case, with a certain baptism and no baptism, there was a purely natural marriage, whereas with two doubtful baptisms there is likelihood of a sacramental marriage, and if the probability before men happens to be a certainty before God there is present absolute indissolubility.

Further consideration, however, does discover in the Helena case what seems to be a very good indirect argument, not for the actual dissolution of what can be a sacramental consummated marriage, but for the presumptive sundering of what under probabilism must be construed as a natural union. The argument is this.

Natural marriage, saving the privilege of faith, is indissoluble; hence in practice the relative dissolubility of natural marriage turns out to be of no worth where the privilege of faith is absent. The Catholic, for example, contracting by dispensation marriage with an infidel, has a union just as incapable of being severed as if he had married a baptized person. His marriage, while only natural, is indissoluble, even on the petition of the subsequently converted infidel. Not only that, but in all doubts the Church presumes valid marriage; and she is seemingly under compulsion to do so.

Now let us see the contrast in the case of the marriage of a certainly baptized non-Catholic to an infidel or unbaptized person. This is a union which antecedently would be pronounced equally indissoluble, because there is certain baptism, therefore certain incorporation in the Church of Christ. Along with the privileges of the Christian thus constituted would appear to go the disabilities of the Christian, one of which is indissoluble marriage.

But the Helena case falsifies any such line of argumentation. For that marriage was dissolved, and by reason of the "favor fidei". There must be an immense difference, then, between the two marriages, that of the Catholic to the infidel and that of the non-Catholic to the infidel. And does not this difference arise, as I argued in the New Marriage Case,[2] from a lack of external communication with the Church in the

[2] Eccl. Review, January, 1924.

second case? Under this aspect the non-Catholic is a material and not a formal Christian. For that reason, on coming to the visible communion of the Church, he can experience all the thraldom of marriage servitude. In any event his natural marriage is relatively dissoluble, unlike that of the Catholic, which is as indissoluble in practice as if absolutely indissoluble by reason of sacramental character.

Then are we going to say that the non-Catholic who is only doubtfully a Christian has to be treated more severely than the non-Catholic who is certainly a Christian? True, the doubtful Christian under consideration has not a marriage which is indubitably natural. But that only says the actual application of the "favor fidei" in his case cannot be certain: it in no wise says that the right to that privilege is not certain. We have a parity in the doubtful debt and the certain non-debt. In the one, freedom from payment is presumed; in the other, it is actual. So the marriage of the certainly baptized non-Catholic to the unbaptized person is actually dissoluble and the marriage of the doubtfully baptized non-Catholic to the doubtfully baptized non-Catholic is but presumptively dissoluble. In other words, such a convert has not a certainly indissoluble marriage. To treat him as if he had appears to be a restraint of freedom guaranteed by the divine law, a restraint which only reasons of grave public policy can justify. And such reasons are not yet seen to be advanced. Nor is this meant in a censorious spirit. For the Helena case is just becoming known. So quite naturally its implications have not been weighed, especially their connexion with the thesis under discussion.

That decision, it strikes us, constitutes the second step in an important piece of disciplinary development. The first was the restriction of the impediment "disparitas cultus". The third is apt to be the presumption of natural marriage wherever doubt is solidly founded. At least let the dispute proceed good-naturedly until this third step is seen to be real or visionary.

JOSEPH P. DONOVAN, C.M.

Kenrick Seminary, St. Louis.

ADMINISTERING THE SACRAMENTS TO SCHISMATIC CHILDREN.

Qu. A young priest in a neighboring parish asked a friend if it would be permissible to hear confessions and give Holy Communion to the children of Greek schismatic parents, who were attending a Catholic school, provided the parents placed no objection in the way. The parents give preference to the Catholic school, though seven-eighths of the population of the town is non-Catholic.

Resp. The answer to this query is found in canon 731 § 2, which states that it is forbidden to administer the Sacraments of the Church to heretics or schismatics, even though they be in good faith and seek them in good faith, unless they first reject their errors and become reconciled to the Church. The canon embodies a constant tradition of the Church, that no countenance be given to heresy or schism by admitting adherents to the communication in holy things.

This attitude of the Holy See is reflected in a decision of the Holy Office (20 July, 1890), quoted under the canon cited. Agatha, a schismatic, through distrust of schismatic priests, confessed her sins to a Catholic priest; he discovered that she was a schismatic but in good faith, and gave her absolution. The question was then proposed to the Holy Office: "Can material schismatics who are in good faith ever be absolved?" The reply runs, "Since scandal cannot be avoided, in the negative, except in the hour of death, and then only when effective measures are taken to remove scandal."

The young priest should not administer the sacraments to the children of schismatic parents until they have been formally received into the Church by a profession of faith. If they are under fourteen years of age, they need no absolution from censure, even "ad cautelam," and the act of abjuration may also be omitted. Since they have reached the age of reason, and are no longer in the class of "infantes," they may be received into the Church without the consent of their parents, but ordinarily it is more prudent not to proceed without this consent in the case of children of tender years.

DISPENSATION FROM AFFINITY.

Qu. Peter marries Anna. Both Catholics. Anna dies, leaving one son, Leo. Peter afterward marries Esther, Catholic, and children are born of the marriage. Peter dies, and afterward Leo cohabits with Esther.

Can dispensation from affinity in direct line be secured on presentation of positive proof that Esther was unknown to Peter previous to Anna's death? Esther and Leo now wish to marry, if permission can be obtained.

Resp. It has long been a common opinion among canonists that affinity in the direct line is an impediment of ecclesiastical law only, and, absolutely speaking, that the Pope may dispense from this impediment. All vestige of doubt on this point has been removed by canon 1043, where it is definitely classed as an ecclesiastical impediment. It is likewise certain that the Holy See does not regard it as expedient to dispense from this impediment. Apart from the danger of consanguineous marriage there are other strong reasons which can be urged.

Individuals thus related frequently live under the same roof and are intimately associated in family life. Unless they are convinced that marriage between them is forbidden, this closeness of family life will give an occasion for rash marriages, supply an opportunity for illicit relations, which are indulged in more freely between those to whom marriage is possible, and the marks of affection which are usual among such persons may readily take on an improper interpretation. In addition, when the former marriage has been consummated, by the union thus established, a definite relationship of paternity or maternity results, which makes marriage between such persons abhorrent.

Is it advisable to seek a dispensation? The attitude of the Holy See may be gleaned from canon 1043, where affinity "in linea recta consummato matrimonio" is excepted from the exceedingly ample faculties granted in the hour of death. Dispensations have been granted from this impediment in recent years, but very rarely, and only in circumstances most desperate and extraordinary.

A case from England is recounted in the *Nouvelle Revue Théologique* (1912-528). John contracted marriage with a woman, already the mother of an illegitimate daughter,

Rebecca. Three or four children were born, and on the death of his wife, John contracted civil marriage with the daughter, Rebecca, without adverting to the impediment of affinity. She bore him two children.

The request for the dispensation was addressed to the Congregation of the Sacraments, which refused to take action. It was then addressed to the Sacred Penitentiary, and the dispensation was granted "mature consideratis peculiaribus adjunctis in casu expositis, de speciali et expressa Apostolica auctoritate". The same article mentions a case where an American bishop received a similar dispensation orally from the Holy Father.

These dispensations refer to marriages contracted successively with mother and daughter; in both cases the prior marriage was consummated; the illegitimacy of the daughter did not affect the character of the impediment. It would appear more difficult to secure a dispensation where dispensation is desired to enable a woman to marry successively a father and a son, because of the inversion of authority involved by which her superior position as mother is followed by one of subjection, as wife. The canonical tradition is to discourage such a marriage; if this is not successful, there are precedents, rare enough, it is true, where in extraordinary circumstances dispensation has been granted, but only as a last resort.

READING FOR PRIESTS.

To the Editor, THE ECCLESIASTICAL REVIEW.

Impetus to the private library campaign would be given by the establishment, wherever possible, of a public circulating library especially for priests.

Many books are not worth more than twenty-five cents, the price charged by circulating libraries for a week's perusal. Priests are adverse to weighting their libraries with books that they will never read again. Assistants in particular endeavor to lighten the baggage they must carry from one post to another. So there is a general ban on all books.

Publishers shower priests with tempting advertisements, etc., all futile because everybody mistrusts the present system of advertising. Blatant circulars are baits for business, not notices of true values. People want to review books for them-

selves before they purchase them. You can get books on approval, but a priest would require a bundle-wrapper and a secretary to remail the discards. The present system is not helping sales, nor promoting learning.

Scholarship among the clergy is waning because they do not read. Catholic booksellers should be urged to establish a circulating library in conjunction with their book department. They would increase their sales of worthy books.

J. G. O'N.

DIARIUM ROMANAE CURIAE.

PONTIFICAL APPOINTMENTS.

14 October, 1924: Mr. Hernand Behn, of Havana, made Knight of the Order of St. Gregory the Great, civil class.

22 October: Mr. Stephen James Caire, of the Archdiocese of New Orleans, made Knight of the Order of St. Gregory the Great, civil class.

28 October: Monsignor John Francis Prim, of the Archdiocese of New Orleans, made Protonotary Apostolic *ad instar participantium.*

Messrs. Charles Isidore Denechaud, Francis Leon Barker, John Xavier Wegmann and Thomas G. Rapier, of the Archdiocese of New Orleans, made Knights of the Order of St. Gregory the Great, civil class.

5 March, 1925: The Right Rev. William Augustine Hickey, Bishop of Providence, made Assistant at the Pontifical Throne.

Monsignori John J. Code, Francis O'Brien and Vincent Blahunka, of the Archdiocese of Chicago, made Privy Chamberlains supernumerary of His Holiness.

18 April: Monsignori Joseph Mangan and John H. Peschges, of the Diocese of Winona, made Domestic Prelate of His Holiness.

4 May: The Right Rev. Thomas Francis Hickey, Bishop of Rochester, made Assistant at the Pontifical Throne.

Ecclesiastical Library Table

RECENT THEOLOGY.

During recent years there has manifested itself among theologians of the Latin Catholic Church an intense interest in the history, doctrine, discipline, and liturgy of the Eastern Churches, both Uniate and Orthodox. This is due, in great measure, to national and political crises which have focussed the eyes of the world on the East; but its principal cause is the ardent zeal of the Holy See to bring back to the unity of faith the millions of Oriental Christians who are estranged by heresy and schism, and to invigorate spiritually those who profess loyalty to the See of Peter. This interest in the Eastern Churches has been the occasion of a number of theological writings adapted to provide a better knowledge of religious conditions in the East. Among writers on these subjects the first place is undoubtedly held by Dr. Adrian Fortescue, whose last work, *The Uniate Eastern Churches*—left unfinished by the untimely death of this brilliant scholar—contains much valuable information, especially regarding the Italo-Greek Church.[1] A pamphlet entitled *Eastern Catholics,* written by W. L. Scott and published by the Catholic Truth Society, condenses into forty pages a very complete summary of the history, rites, devotions, and government of the various Oriental Churches in union with the Holy See. Mr. Scott furnishes some useful information regarding the designations of Oriental Christians. We are apt to regard "Greek Catholic" as a generic term, applicable to both Orthodox and Uniate. Among the Greeks themselves, however, the term "Catholic" is regarded as the distinguishing mark of those who are subject to the Pope. The sole exception are the Maronites—who call themselves simply "Maronites", but who are all Catholics.

Among the *Orientalia Christiana* published by the Pontifical Institute of Rome a series of pamphlets entitled *Conceptus et Doctrina de Ecclesia juxta Theologiam Orientis Separati,* by Fr. Spácil, S.J., is worthy of notice. The author divides his work into three sections—the doctrine of Photius concerning the Church, the teaching of the official symbolic books, and

[1] See ECCL. REV., Sept. 1924.

the tenets of modern Oriental schismatic theologians. The error of Photius, the protagonist of Eastern schism, did not consist in the denial of a primacy of jurisdiction over the universal Church, Fr. Spácil assures us, but rather in the contention that the primatial see could and should be transferred from Rome to Constantinople. The official doctrinal books, however, and modern theologians assign the supreme governing and teaching power to a general Council, and deny the universal jurisdiction of any individual Bishop. Their principal argument against the primacy is based on an exaggerated notion of the Church as the mystic Body of Christ—which doctrine, they claim, precludes the possibility of any other Head than Christ Himself. Fr. Spácil appends a number of conciliar, liturgical, and patristic quotations to prove that before the time of Photius the doctrine of the Roman primacy prevailed in the East.

A complete summary of the dogmatic divergences between the Roman and the Orthodox Church is given by the Rev. A. Malvy, S.J., in the *Nouvelle Revue Théologique,* June-August, 1924. We are apt to regard the Greek schismatics as differing from us only in regard to the primacy of the Pope. Fr. Malvy shows that between Roman and Orthodox theology there are numerous other essential points of disagreement—e. g. the procession of the Holy Ghost, the Immaculate Conception, the indissolubility of Matrimony, the existence of Purgatory, etc.

Another recent contribution to this category is a study of the Greek Orthodox theology of the Word Incarnate—*La Christologie dans la Théologie Orthodoxe,* by the Rev. P. de Meester, O.S.B., in the *Ephemerides Theologicae Lovanienses,* October 1924 and April 1925. For the most part the Greek doctrines of Christology agree with those of the Roman Church, not only in regard to the duality of nature and the unity of person, but also in regard to the knowledge, sanctity, bodily qualities of Christ, etc. Greek Orthodox theologians, however, are apt to confuse the natural and supernatural orders, in this and in other doctrines. Moreover, they refuse to admit the cult of the Sacred Heart, which they denounce as an innovation and a disguised form of Nestorianism. For, they say, the Heart of Christ is regarded by Catholics as a determined human person, distinct from the Word. Besides,

they contend, the Cross and not the human Heart is the proper and traditional symbol of Christ's love for mankind.

In the *Month* (London) for May, Cyril Charlier considers present-day religious conditions in the Christian East, especially Russia. The principal obstacle to reunion, he tells us, is the intensely national spirit of Oriental Christianity, which links patriotism with Orthodoxy and places submission to Rome on a par with treason. If this hindrance could be eliminated, the rank and file of Orthodox Christians would have no difficulty in accepting the dogmas of Catholicism. As a matter of fact, many adherents of the Russian Church whom persecution has driven into exile are now joining the Catholic Church.

* * *

Geology and Biblical Chronology (*Geologie und Biblische Urchronologie*) is the subject of an article by Dr. Richarz, S.V.D., of Techny, Ill., in the *Linzer Quartalschrift,* 1925, nos. I-II. The writer insists that the age of the human race is not a revealed truth, and accordingly they err who try to conclude from the Biblical narrative that the creation of the first man occurred 6000 or 8000 years ago. The question is a purely scientific one and has no place in theological discussion.

From geological calculations, especially those based on the movements of glaciers, Dr. Richarz concludes that the minimum estimate of the age of mankind is 20,000 years. However, even those who extend this period to several hundred thousand years have good arguments on which to base their conclusions.

Some modern exegetes — mostly non-Catholic — have interpreted the transgression of our first parents metaphorically, as a sin of sexual indulgence, rather than literally, as an act of disobedience. This view had supporters even among the pre-Christian Jewish Talmudists, and found favor with the early Christian writer, Clement of Alexandria (*Stromata* III 14). In the *Linzer Quartalschrift,* No. I, 1925, Dr. Fruhstorfer combats this view (*Wider die Sexuelle Deutung der Ursünde*). He shows that this interpretation does not harmonize with the context of Genesis, which proclaims concupiscence to have been the effect rather than the cause of the sin committed in Paradise.

* * *

Two questions in Mariology are the subject of much discussion at the present time—the corporeal Assumption of the Blessed Virgin, and her office as Mediatress of grace. Dr. J. Ernst is the principal opponent of the definability of the Assumption as an article of faith. His writings have been previously noted in these columns.[2] In the first and second numbers of the *Linzer Quartalschrift* for the current year Dr. Ernst continues his attack on those who hold that the corporeal Assumption is contained in the deposit of faith. He considers in turn the arguments adduced by Fr. Mattiusi, S.J., in his treatise *L'Assunzione Corporea della Vergine Madre*[3] and endeavors to show that none of them afford convincing proof of the definability of the Assumption. Even the argument based on the proto-evangelium (Gen. 3:15), so greatly emphasized by modern theologians—namely, that if Mary had not been privileged with an anticipated resurrection her victory over the devil would not have been complete—he rejects as inadequate to prove that this doctrine is revealed. He admits, however, that the Assumption is a pious and well-founded historical belief.

A different view is championed by the Rev. H. G. Hughes in his article "Doctrinal Development and the Assumption of Our Lady" in the *Dublin Review,* 1924, no. 4. He begins by laying down a principle to which most modern theologians would not agree—namely, that a truth which is only *virtually* and not *formally* implicitly contained in the deposit of faith may, by the definition of the Church, become a dogma. The Assumption, he says, is a truth of this nature—not formally contained in the deposit of faith, for we have no direct and demonstrative evidence that it forms a part of public revelation, but *virtually* revealed, as is evident from the universal consent of Catholics, both clergy and laity. Accordingly, it can be defined by the Church as an article of faith.

The terms "virtually" and "formally" revealed have so many different shades of meaning that their use is often ambiguous. The distinction should be based, not on the *modus cognoscendi,* but on the *res cognita.* Many theologians would not hesitate to consider as *formally* revealed what Fr. Hughes classifies as only *virtually* contained in the deposit of faith.[4]

[2] *Library Table,* Sept. 1921, Dec. 1924.

[3] *Library Table,* Dec. 1924.

[4] Schultes, *Introductio ad Historiam Dogmatum,* Art. 4, 6, 9.

The *Civiltà Cattolica* for 7 February, 1925, summarizes Fr. Mattiussi's treatise in favor of the definability of the Assumption, and praises his zeal and theological ability. The Rev. H. Mets in the *Nederlaandische Katholische Stemmen* (1924, p. 353) asserts that this doctrine is probably revealed, though this is still a matter of free discussion.

Another phase of Mariology that is being widely discussed by theologians is the universal mediatorship of the Blessed Virgin. That the Mother of God is rightly called the "Mediatress of all Graces" cannot safely be denied, in view of the consensus of theologians and the recent institution of a feast in her honor under this glorious title. But when there is question of explaining this title, a wide divergence of view prevails. Writing in the *Ephemerides Lovanienses* for April of the current year, the Rev. J. Rivière calls attention to the indefiniteness of this title. He cites, as an example, a book recently published, *Marie Mère de Grâce,* the joint work of the Revs. M. de la Broise and J. Bainvel, with an introduction by Cardinal Billot. In the work of the Redemption, or the gaining of the graces necessary to man's salvation, Cardinal Billot assigns no part whatsoever to Mary; Fr. Bainvel concedes to her a mediate coöperation, in that she voluntarily became the Mother of the Redeemer; Fr. de la Broise goes further, and holds that she merited for us *de congruo* the graces which her Divine Son merited *de condigno.* In regard to Mary's part in the distribution of graces, a like divergence of view prevails. F. Rivière concludes his review with the suggestion that theologians come to an agreement regarding the precise meaning of "Mediatress of Graces".

Fr. Bover, S.J., a zealous champion of Our Lady's prerogatives, writing in the *Gregorianum* for December 1924, proposes an argument for her universal mediatorship, based on the words of the proto-evangelium: "I will put enmities between thee and the woman," etc. (Gen. 3:15). From the antithesis which this text proclaims between Eve and "the woman" (Mary), it follows that as Eve was the direct and universal cause of the ruin of the human race, so Mary was the direct and universal moral cause of man's reparation—subordinate to the merits of Christ, even as Eve's pernicious influence was subordinate to the transgression of Adam. In other

words, to Mary has been assigned an active part in the work of the Redemption and the bestowal of its fruit upon all mankind.

Dr. B. Bartmann contributes to *Theologie und Glaube,* 1925, No. 1, an article entitled *Mater Divinae Gratiae,* in which he shows the development of the doctrines of Mary's spiritual motherhood and mediatorship, as illustrated in tradition since the second century. The Rev. J. Van der Meersch in a revised edition of his *Tractatus de Divina Gratia* (Brussels, 1924) adds an *Appendix de Maria Mediatrice,* in which he contends that Mary's prerogative of Mediatress of all graces is a revealed doctrine, formally contained in the truth of her spiritual motherhood of the human race.

The *Gregorianum* for September and December contains a physiological-theological treatise by the Rev. A. Breitung, S.J., on the Conception of Christ. The older theologians, who held that the ordinary human fetus is not sufficiently organized to be animated by a rational soul until a certain number of weeks after conception, were forced to admit a miraculous exception in the case of Christ. For, it was the Word hypostatically united to a human soul and body who was conceived in the chaste womb of Mary. Accordingly they concluded that from the very first moment of conception Christ's body was perfectly formed, in order that it might be fittingly animated by a rational soul and assumed by the Word.[5] Fr. Breitung, however, applying to the Incarnation the more common physiological opinion of to-day—that the fetus from the first moment of conception is animated by a human soul—shows that it is not necessary to presume a miraculously instantaneous development of Christ's body; but on the contrary it was more fitting that it should go through the gradual process of formation which takes place in ordinary conceptions. Modern physiology, moreover, in attributing to the mother a more active and intimate part in conception than was conceded by the older physiologists, enhances the prerogatives and glory of the Virgin Mother.

* * *

Dr. J. Godfrey Raupert, who for several years has been residing in Germany, is continuing his efforts to proclaim the

[5] St. Thomas, *Summa,* P. III, Q. XXXII, a. 1.

dangers of Spiritism. His latest work on this subject—a pamphlet of eighty pages in German (*Der Spiritismus im Lichte der vollen Wahrheit*) is of the same trend as his numerous English publications. That many of the phenomena of Spiritism are caused by incorporeal, intelligent beings, he claims, cannot be denied. These spirits, however, are not the souls of the departed. On the contrary, they prove themselves by their falsehoods and their opposition to Christianity to be instigators of evil. Accordingly, the practice of Spiritism is dangerous to both soul and body.

A somewhat different attitude is taken by Fr. Norbert Bruehl, C.SS.R., in the *Linzer Quartalschrift,* 1925, no. 1. He complains of the many unauthenticated phenomena that are adduced as indubitable examples of preternatural activity, even in Catholic books and papers. He cites a number of cases where trickery has been detected, and considers that the best method for pastors to eradicate spiritistic practices is to emphasize the many frauds that have been exposed. Fr. Mainage, O.P., in his *Religion du Spiritisme* (recently translated into German) looks upon alleged spiritistic phenomena as the results of natural causes.

* * *

One of the theses sustained by Fr. de la Taille in his *Mysterium Fidei* is that the reception of the Holy Eucharist, at least *in voto,* is necessary as a means of salvation. He arrives at this conclusion from the principle that the Holy Eucharist has as its proper effect the participation of the soul in the Flesh of Christ, through which all sanctification and salvation are secured. The other Sacraments have as their proper formal effect something distinct from sanctifying grace and produce the latter only through a certain dependence on the Holy Eucharist. For example, Baptism has as its proper formal effect the death of sin, but it produces sanctifying grace in as far as the death of sin is directed to the infusion of supernatural life—i. e. the proper effect of the Holy Eucharist. Accordingly, the desire (at least implicit) of the Holy Eucharist must accompany the fruitful reception of all the other Sacraments.[6] In the *Zeitschrift für Katholische Theologie,* 1925, no. 1, Dr. Otto Lutz takes exception to Fr. de la Taille's view.

[6] *Library Table,* June, 1924.

From the writings of St. Thomas, conciliar definitions, and the words of St. Paul (Rom. 6:3-7) Dr. Lutz endeavors to show that Baptism, of itself and independently of the Holy Eucharist, is sufficient for sanctification, and accordingly for salvation. The Blessed Sacrament, he asserts, being the food of the soul, is directed to the *consummation* not the *inception* of the supernatural life.

Although Dr. Lutz argues convincingly, he does not seem to have grasped the full significance of Fr. de la Taille's doctrine. The latter is viewing the Sacraments not as independent entities, but as one sublime system of supernatural agencies, the dynamic centre of which is the Holy Eucharist. To quote the Salmanticenses (who held the necessity of the Blessed Sacrament *in voto*): "This desire (votum SS. Eucharistiae) regards the Holy Eucharist, not as a special Sacrament, but as the end of all the Sacraments".[7] It is in the same sense that the Roman Catechism (P. II, Cap. IV, n. 50) says: "Even the first grace . . . is granted to no one, unless he receives this Sacrament (the Holy Eucharist) in desire and intention."

In the May number of the *Irish Ecclesiastical Record* appears a lengthy criticism of *Mysterium Fidei,* by Dr. Ryan of Maynooth. Dr. Ryan agrees with Fr. de la Taille in his concept of the Mass as the *oblation* of Christ once *immolated* on Calvary and remaining perpetually in the state of a Victim. He disagrees with the learned Jesuit, however, in his doctrine concerning the relation of the Last Supper to the Cross—namely, that these were not two distinct sacrifices, but only one, of which the former was the *oblation,* the latter the *immolation.*[8] This conclusion, Dr. Ryan contends, contradicts the general teaching of theologians—and of Fr. de la Taille himself—that the Last Supper was a true Sacrifice, identical with the Sacrifice of the Cross. For how can that which is only a part of a thing be designated as identical with the thing itself? Moreover, Dr. Ryan suggests that Fr. de la Taille has read his own opinions into some of the conciliar and patristic texts that he employs in the course of his work.

Whatever view one may hold regarding this disputed question, it must be admitted that Dr. Ryan's article is an admir-

[7] *De SS. Euch.,* Disp. III, dub. 1.

[8] ECCL. REVIEW, July-August, 1924.

able example of that logical reasoning and unimpeachable courtesy which are so necessary for the attainment of any practical results from theological controversy. Fr. de la Taille is to be congratulated in having such a theologian to concur with his doctrine regarding the essence of the Mass.

An historical study in French on devotion to the Blessed Sacrament—*Le Culte du Saint Sacrament*—has recently appeared from the pen of Canon Cordonnier. The work is divided into two parts, with the thirteenth century as the dividing line. Before that time devotion to the Holy Eucharist centred about the Mass and Holy Communion. From the thirteenth century, however, the cult of the Reserved Species developed, and manifested itself in the Feast of Corpus Christi, exposition, processions, etc.

The views of the Rev. E. Leen, C.S.Sp., regarding the Mass, which appeared last year in the *Irish Ecclesiastical Record* and which were unfavorably commented on at the time in these columns,[9] were declared by the Bishops of Ireland to be objectionable. With praiseworthy submission to ecclesiastical authority, Fr. Leen withdraws his opinions in the December number of the *Record*.

* * *

The Rev. E. Hugon, O.P., in the *Revue Thomiste* (1924, p. 481) considers some disputed points regarding Holy Orders. With St. Thomas, Fr. Hugon holds that the Subdiaconate and the Minor Orders are grades of the Sacrament. In accordance with the Decree to the Armenians (Denzinger, 701) he asserts that the essential *materia* of Orders (including the priesthood) is the *traditio instrumentorum*.

A very complete historical and theological treatise (in French) on the Sacrament of Orders by Fr. Tixeront (*L'Ordre et les Ordinations*) has just made its appearance. Regarding the historical question of the distinction between bishops and priests the author is inclined to the view that all the *priests* of the first century were possessed of the fulness of the *sacerdotium*—i. e. the episcopate of Orders; while the simple priesthood as such began only in the second century. Fr. Tixeront holds that the Minor Orders are not a part of the Sacrament; and that the sole essential *materia* of the diaconate, priesthood,

[9] *Library Table*, June 1924.

and episcopate is the imposition of hands. He furnishes an interesting conspectus of the various rites employed in the conferring of Orders from the earliest centuries down to the present day whose ceremony is a combination of the Roman and the Gallican rites.

The current year has witnessed the appearance of another lengthy French treatise, on vocation to the priesthood—*Vocation au Sacérdoce,* by Dr. A. Mulders of Belgium. He demonstrates clearly that the Church's authoritative decision of 1912 (relative to *La Vocation Sacérdotale* of Lahitton) and the prescriptions of Canon Law (Can. 1353, 1357) are in full accord with the traditional doctrine of Fathers and theologians. Dr. Mulders distinguishes a twofold vocation,—*in vocato,* i. e. the complexus of graces and abilities in the individual destined for the priesthood; and *in vocante,* i. e. the call to the ministry, primarily on the part of God and secondarily on the part of the bishop. This last, since it is the official recognition of the call of God is called *Vocation* in its formal sense. However, it does not exclusively constitute a priestly vocation, but presupposes the call of God and the necessary requisites in the candidate.

FRANCIS J. CONNELL, C.SS.R.

Esopus, N. Y.

Criticisms and Notes

THE CASE AGAINST EVOLUTION. By George Barry O'Toole, Ph.D., S.T.D., Professor of Theology and Professor Emeritus of Philosophy, St. Vincent Archabbey; Professor of Animal Biology, Seton Hill College. The Macmillan Co., New York. 1925. Pp. xiv—408.

Thirty years ago the writer of these lines was standing in a group of distinguished ecclesiastics on the grounds of the Cliff Haven Catholic Summer School. The conversation turned upon the opinions on evolution that had been advocated by the late Father Zahm—then in the prime of his literary and scientific activity—in a course of lectures which he had just completed under the Catholic Summer School's auspices. The then President of the School, Dr. Conaty, afterward Bishop of Los Angeles, felt it his official duty subsequently to protest before the assembled audience that the Catholic Summer School did not hold itself responsible for the advanced views propounded by Dr. Zahm. This disclaimer seemed the more called for, seeing that the *New York Herald* of that very morning had flashed from its front page the headline query, "Is Zahm a Heretic?" The affair stirred up some little excitement, and one of the clerical group alluded to above, a well-known writer, remarked, "But why this fuss? Twenty-five years from now all of us will be holding Dr. Zahm's present opinions." Was the speaker a prophet? In the sense that he foretold what, with a qualification, has actually come to pass, yes. The qualification falls upon the "all of us".

How far Catholic thinkers have become evolutionists, it is difficult to say. Many of them, influenced by the trend of certain distinguished apologists and by the ubiquitous acclaim of evolutionism, rather than by any intrinsic evidence, seem to accept the general theory—save as it includes the human soul in the evolutionary process; for of course Catholic faith draws the line there. As regards the human body, the body of Adam, many seem to be a bit in the twilight, trying to hold on to the general consensus of theologians (who here allow no transformist hypothesis), and at the same time thanking God that Mother Church has made no *de fide* declaration regarding the genesis of Adam's body.

The opinion maintained by Dr. Zahm he himself stated as follows: "The evolution of the body of man from some inferior animal and its subsequent endowment in this body by God of a rational soul is antagonistic to no dogma of faith and may be shown to be in harmony with the teaching of St. Thomas." Respecting which opinion one of the most recent of our manuals of "Neo-Scholastic Phil-

osophy" observes: "There is no intrinsic impossibility, not even improbability, that God should not have used an existing animal organism as the body into which he infused the spiritual soul at the production of the first man."

The modern mind is obsessed by the idea of evolution. It is practically impossible to gain a hearing for any counter facts or arguments. To disbelieve in evolution—that is, in the transformation of organic species, including the descent of man from a bestial ancestor—is to expose oneself to being reputed an ignoramus, a "back number", or the dupe of religious prejudice. It required courage, therefore, the courage begotten of conviction, based not on vague speculation but on intimate familiarity with the facts and the arguments pro and con, to take up the *Case against Evolution,* as is done in the book at hand.

Of course we already have a very considerable amount of valuable criticism of the various forms of Evolutionism. Every one of our manuals of Scholastic Philosophy contains several theses more or less refutative of that to us exaggerated form of the theory which involves the purely animal origin of man. Moreover, all our manuals of apologetics are similarly equipped. Besides this there are a number of brochures and booklets expository and critical of Evolutionism. On the other hand, in the volume before us we get for the first time a fully detailed and minute critique of the arguments which are claimed by their proponents to establish the alleged fact and the fulminated dogma of the transformation of species. For bear it well in mind, there is no longer question in the modern mind of evolution as an hypothesis. Evolution is declared to be a philosophical thesis, a scientific theory, a proven fact. As to the evolutionary *process,* there is no end of disputation. But as to the fact itself, there is almost unanimous agreement amongst the scientists.

Often enough, it is true, we hear of the death and burial of Darwinism; but this is mere quibbling with a word. The natural selection hypothesis is very generally discarded, but Evolutionism, transformism, is more in vogue now than ever before, and all the oratorical opponents at present in the field are, despite their well-meaning intentions, only strengthening the convictions of the evolutionists while inviting obloquy for themselves.

The case against Evolutionism defended in the present volume is no mere scholastic thesis or apologetic dissertation. It is a thorough piece of scientific and philosophcal criticism. It is the work of a savant who is fully conversant with the etiology, the biology, the anatomy, the chemistry, the physics of the empirical facts involved in the defence and the criticism of Evolutionism. Usually the scientific evolutionist secures an easy victory by the fallacy *ad verecun-*

diam. Goliath-like, he despises the youthful David who steps up ungirded with the sword of science and equipped only with the pebble and the sling of philosophy, theology, or the Bible. In the present encounter, however, the evolutionist may reserve his contempt for himself. For he has here to do with an opponent who knows as much about sword tactics as he does himself. He confronts an adversary who is just as used to the thrust and parry of physical science as any self-assured evolutionist. An antagonist, moreover, who possesses what he himself too often lacks, a thorough drilling in the art of dialectics, a master in argumentation and in the critical sifting of evidence.

Nor will the reader fail to note that while the author is keen to detect the weaknesses both factual and logical on the side of his adversaries, he does not forget to be impartial when he has occasion to evaluate the tactics of the allies of his own cause. Instances of this even-handed justice will be noted in his treatment of Canon Dorlodot's *Darwinism,* on the one hand, and of Mr. Alfred McCann's *God or Gorilla,* on the other.

For the rest, the case is presented under two headings: 1. evolution in general; 2. the problem of origin. Under the first, after a succinct statement of the present crisis in evolutionary thought, the author discusses with scientific details the arguments drawn for Evolutionism from the homologous structures of animal organisms and from the succession of the fossil remains which are generally supposed to prove progressive and genetic descent.

In the second part he enters, even more minutely, into the problem of the origin of life, the origin of the human soul and of the human body. The latter chapter is especially interesting for its full and luminous discussion of the fossil relics of so-called primitive man — the Trinil, the Heidelberg, the Neanderthal, and the other worthies whom we see so nicely modernized in the museums of natural history and in the popular illustrated books on the Cave men.

It should be noted that the author is not attacking Evolutionism as a working hypothesis. His protest is against the brazen effrontery of the sciolists who claim for their unproven opinion the sacrosanct dignity of a scientific thesis. Some sort of evolutionary process may or may not have been at work in bringing about the present organized arrangement of the living kingdoms; but the author's contention is that the evidence adduced to establish the transformation of *organic species* is inconclusive and that the only logical attitude toward the theory is the *agnostic* one—We don't *know.*

While the main strength of the work lies in its scientific criticism—the Scriptural and theological aspects of the subject being outside its scope—some of its most cogent pages are contained in the

Afterword, wherein the author alludes to the monistic basis of the evolutionary *philosophy,* and the disastrous consequences of that philosophy both for the individual and for society at large. As a recent Italian writer of distinction remarks: "Socialistic doctrines are based exclusively upon our assumed kinship with the brutes, and the leaders of militant Socialism have inscribed on the frontispieces of their books the chain fatally logical and terribly true of three names, Darwin, Spencer, Marx."

Marxian Socialism, as Dr. O'Toole observes, "has been called 'scientific' for no other reason than that it is based upon materialistic evolution, and this scientific socialism has brought upon modern Russia a reign of terror which eclipses that of France in the bloodiest days of the Revolution". Nor is it insignificant that Eleanor Marx, the victim of her father's teaching on free love, committed suicide, as did likewise two recent editors of the *Appeal to Reason*—J. W. Wayland and J. O. Welday. It may easily be objected, however, that evolutionists, for all their agnosticism and materialism, put Christians to shame by their irreproachable upright lives. To which it may be replied that the morality of the evolutionist is on the one hand parasitic, and on the other hand is in absolute opposition to his philosophy. For "not only does the monism of evolutionary science fail to motivate the Christian code of morals, but it is radically and irreconcilably opposed to all that Christianity stands for".

No one has more boldly expressed the trend and purpose of the evolutionistic philosophy than Von Hartmann, the champion of Monism: "Many there are," he says, "who speak and write of the struggle of civilization, but few there are who realize that this struggle is the last desperate stand of the Christian ideal before its final disappearance from the world, and that modern civilization is prepared to resort to any means rather than relinquish those things which it has won at the cost of such great toil. For modern civilization and Christianity are antagonistic to each other, and it is therefore inevitable that one give place to the other. Modern progress can acknowledge no God save one immanent to the world and opposed to the transcendent God of Christian revelation, nor other morality save only that kind whose source is the human will determining itself and becoming a law unto itself." Should some one say that Evolutionism is independent and outside of this atheistic monism, the answer may be that the alleged independence is true if evolution be regarded as a mere working hypothesis, as a scaffolding for the construction of a provisional systematization of organisms and ready to be cast aside as soon as it is seen to be inadequate for its purpose. But Evolutionism is more than this. Like socialism, it is a world-view and a world movement, a philosophy of the universe,

a theory of life, of origins and destinies, a substitute for the old and the substance of the new religion—the new religion which, as Charles Eliot, ex-President of Harvard proclaims, "will not attempt to reconcile people to present ills by future compensation. Prevention will be the watchword of the new religion and a skilful surgeon will be one of its ministers." By thoroughly probing the scientific foundations and evaluating the philosophical implications of this new religion the author of the present volume has done an inestimable service to the cause of truth.

It will be interesting to note how the evolutionists will receive this vigorous criticism of their cherished dogma. Possibly they will ignore it—assured as they are that no good can come out of Nazareth. Or they may concentrate counter criticism upon minor points divulsed from the leading trend of the argument. Be that as it may, no honest inquirer after the truth, whatever be his opinion or inclination toward Evolutionism, can afford to leave unheard this most judicious and timely summary of the evidence.

A MANUAL OF MORAL THEOLOGY for English-speaking Countries. By the Rev. Thomas Slater, S.J. Two volumes. Fifth and Revised Edition. New York, Cincinnati, Chicago: Benziger Brothers. 1925. Pp. 367 and 352.

Father Slater's work which is meant to popularize the study of Moral Theology in its broad phases is sufficiently known to the average cleric to dispense us from explaining the character of the Manual of which we have here a new (the fifth) edition. The subject is one which has its distinct value not only to the priest but also to the layman of to-day, notably in America, where pastoral influence is less rigidly circumscribed than in Europe, and where we have no fixed traditions to guide the moral sense in matters of human acts and law. Father Slater's text deals with the natural and positive law, sin, and virtue. The Decalogue, and the commandments of the Church which flow from it, are essentially unchangeable, but their application varies with time, place, and circumstances, and demands interpretation by a living authority divinely constituted. Hence it happens that the supreme government of the Church directs certain adaptations in practice which bind the conscience. To have this effect they must be rightly understood. These ordinances affect likewise the efficacy of the means of grace to the faithful. The new Code of Canon Law contains many changes of far-reaching consequences, as Fr. Slater points out. It canonizes the law of the country on such important questions as Prescription and Contracts. It changes the nature of more than one diriment impediment of Mar-

riage. It alters many other points of church law. All this is shown in the present edition of a work which has already approved itself as a reliable guide in such delicate matters, for both the confessional and other transactions of moment to the public conscience. The Manual is one which, if rightly used, will be of service to the directors of public welfare, to the judge on the bench, to the legal contractor in business, to the physician, and to the guardians of public morals generally.

A RETREAT FOR NUNS. By the Rev. Walter Elliott of the Paulist Fathers. The Apostolic Mission House: Washington, D. C. (Brookland Station.) 1925.

The long and fruitful missionary and pastoral activity of Father Elliott of the Paulist Community enables him to diagnose the spiritual needs of our parish life with exceptional accuracy and from the practical point of view to be taken by the secular clergy. The future advancement of religion in America depends in the main on the religious training of our children. That training is in the hands of the religious communities attached to and teaching in our schools. The efficiency of these teaching communities is intimately bound up with the fidelity with which they practise the religious rule and traditions of their institute. In local houses attached to the parishes these religious are either helped or hindered by the direct interest or the want of it in their work, and the encouragement given them by the local clergy.

It has been the custom to rely to a large extent on annual or periodical retreats conducted by priests of the religious orders to maintain fervor and regularity among the school Sisterhoods. The secular priests are accounted not infrequently as of a lower grade of religious knowledge and perfection, and their authority is accordingly of less influence and weight with the Sisters and with the faithful generally. If this estimate is partly justified by facts, it is no less wrong and hurtful in principle, for the priest, whether in the world or guided by a special pledge of obedience, if he wants to be true to his sacred calling, is bound to the perfection which, whether exercised in obedience to a special rule or by a voluntary compliance with the circumstances of duty, rests upon the divine ordinances which alone give dignity to the priestly office.

Father Elliott helps the parish priest to realize this aspect of parish duty, not merely with regard to the faithful in general, but in the sense that he establishes the consciousness of priestly duty to become guides to the religious who have the educational charge of the parish children. He not only urges the pastoral clergy to be

habitually interested in the spiritual welfare of the Sisters in their parishes, but he shows them the way to act out this interest by entering into the direct guidance of their religious life. To do this it is not necessary for the individual pastor to profess obedience to a religious rule; but it is necessary to understand the importance of such rule for those who have entered the religious life, and to value it from the position of the Sisters. It is needless to point out that this understanding is of personal worth to the priest in his efforts to regulate his own spiritual life; for no priest can be efficient in a civilized community without a rule of life, apart from that which is forced upon him by the demands made on his time and labor by his flock. The Apostolic Union of Priests provides some such rule, and Father Elliott's *Retreat for Nuns* will furnish a means of strengthening the regularity of a holy or priestly life by urging the observance of their rule on his coadjutors in the school, which they are pledged and ready to follow.

The volume is written in an agreeable style without any attempt at moralizing, such as is apt to irritate those who are familiar with what religion demands. But it gives us a fair outline of the religious field, the training of our Sisterhoods, their special needs for reflection on certain fundamental topics of their regular life, their obligations, limits, aids, opportunities for the exercise of virtue which are of service not only in the school but in the homes, with the sick, with converts to be instructed, and on a hundred other occasions. It is a new means of rendering the pastoral work of the priest fruitful and a blessing and joy to his flock as well as to himself and his coadjutors on the mission.

INTRODUCTION TO CHURCH HISTORY. For Beginners. By the Rev. Peter Guilday, Ph.D., President of American Catholic Historical Society, etc. B. Herder Book Co., St. Louis and London. 1925. Pp. 350.

After surveying the brief preface and the table of contents the reader of this book — it is to be hoped he is likewise a student, a *pursuer* of good works—will do well to pass at once to the sixth, the penultimate, chapter, which is headed *The Mission of the Catholic Historian.* Here he will come at once into intimate relation with the spirit, the soul, of the work. In no hortatory tone, but in a style comparable as regards magisterial dignity, sonorousness, and befitting color to none so much as to that of Macaulay's famous essay on Ranke's *History of the Popes,* he is shown the march of historiography across the Christian ages. A battle he sees it to be between the champions and the foes of Christian truth. The *Cen-*

turies of Magdeburg and the *Annals* of Baronius are seen contending for the central heights. The former have marshalled all the forces of hatred and calumny against the Church and the Papacy. The latter has enlisted the power of fearless research and outspoken veracity in defence of the Rock and the Citadel of Peter. The mission of the Catholic historian has ever since been to follow the spirit that was in Baronius over against the Centuriators—to employ, develop, perfect his methods of research and interpretation. In what measure this has been and is being accomplished by modern and contemporary historiographers is made plain in this erudite and eloquent chapter. No student who has any taste for historical reading or any capacity for historical work can fail to derive inspiration, enlightenment, and encouragement from its perusal.

Having been touched by the spirit that breathes through the chapter indicated, the student should go back to the beginning of the volume and follow the successive chapters. In the first he will learn how to segregate from the at first bewildering number and variety of conflicting views the one that alone seems to conform to the logical requirements of a true definition of Church history. Successively he then comes into closer contact with the scope and the value of Church history. He will then go on to learn how to study Church history and to recognize the spirit, capacities and methods that enter into the formation of the ecclesiastical historian. Lastly he is furnished with a comprehensive survey of the available literature of the subject.

The foregoing observations may suffice to indicate the general character and importance of this new accession to the student's outfit. The book is unique. It occupies the field alone. It has no compeer. It may seem strange that, while all the other branches of the ecclesiastical curriculum — philosophy, theology, Sacred Scripture, and the rest—are provided with manuals introducing the beginner to the larger department, the same cannot be said of Church history. We have in English not a single book that may be truly called an "Introduction to Church History", one that covers the ground now for the first time taken by the present volume. The absence so far of such a work is significant of the quite inadequate attention which is devoted to ecclesiastical history in our institutions of learning. May it not be augured that in filling up this long-existing—even though not long-felt—gap in our didactic literature, Dr. Guilday has provided at the same time a new incentive, a fresh stimulus, as well as a valuable adjunct to the study of the Church's history? One likes to hope so.

The book is modestly proposed to "beginners". It deserves a place as a text book in our seminaries and colleges. At the same

time it appeals to the clergy who, having a taste for historical studies, desire some suggestions and supplementary directions whereby they may orientate themselves in the vast and ever-extending field of history.

Literary Chat.

Among the College Annuals published at the end of the scholastic year, with impressive academic garb and illustration of the student and alumnate bodies, we have received *St. Bonaventure's Seminary Year Book 1925;* edited by the Duns Scotus Theological Society. Also *The Sheaf,* being the record of Mt. St. Joseph Academy, Chestnut Hill, for 1925. The former abounds in thoughtful essay; the latter in graceful tributes from poetic pens and loyal tributes to the Mother Institute at Puy-en-Velay.

The Jesuit Martyrs of North America — Isaac Jogues, John de Brébeuf, Gabriel Lalemant, Noel Chabanel, Anthony Daniel, Charles Garnier, René Goupil, John Lalande — by John J. Wynne, S.J. (The Universal Knowledge Foundation: New York) appears simultaneously with the formal declaration in Rome of their Martyrdom. The significance of the volume lies in its value as an historical monograph, but it also revives the sense of duty to sacrifice in the missionary efforts of the American priesthood. We hope to return to the discussion of the book in the near future.

The clergy who are endeavoring to promote parish or school dramatics will find some fresh material and that of a decidedly superior quality in *Six One-Act Plays* by the Rev. Daniel A. Lord, S.J. (Benziger Brothers, New York). It is claimed for these plays that they are "Catholic" without being "religious", which means that they embody sane ideals without protrusion of goody-goodyism. Moreover there is the zest of life in them, healthy life, kindliness, hope, simplicity, sparkle, nobility, character, courage—all the best elements that touch and grip the unspoiled and unsoiled heart of man and woman. Though the plays are arranged for acting on the stage, the themes they bear and the fine art of their telling capture the reader equally with the hearer and beholder.

The Old Morality plays never become old. They retain in their Catholicity a universal appeal, the vital *élan,* the vigor of perennial youth. *Everyman* and the *Second Shepherds Play* are amongst the foremost of these imaging dramas. A new acting version of these two classic *Moralities,* with ample stage directions, has recently been edited by Mr. William R. Duffy, Professor of Dramatic Art in Marquette University, and issued in a convenient brochure by the Bruce Publishing Co., Milwaukee (pp. 88).

The English C. T. S. publishes a pamphlet (twopence) entitled *Between Ourselves.* It contains a course of talks to boys on many varied topics vital to the life of the average boy in school and beyond. The writer, Joseph O'Connor, knows how to reach and to hold the mind of the average boy. A fine thing it would be if every boy went forth from the schoolroom with one of these pamphlets in his pocket.

Indulgences for Sale! Enquire Within, is the rather startling title of another pamphlet recently issued by the C. T. S. When it is seen that the author is Father Herbert Thurston, S.J., the inference is inevitable that there is something worth while, something solid and interesting, between the covers. Some parts of the writer's *The Holy Year of Jubilee* and (an article from the *Month,* December 1923) *The Medieval Pardons* are conjoined in this timely booklet.

Much is being written of late—favorable and unfavorable—concerning the Church in France. One thing cannot be gainsaid, that the eldest daughter of the Church has never lost her zeal for the cause of the foreign missions. Some of the manifestations of that zeal are summed up in a recent publication entitled *L'Apostolat Missionaire de la France* (Paris: Pierre Téqui). The volume (pp. 310) consists of a series of conferences given in the interest of the Union Missionaire du Clergé at the Institut Catholique de Paris (first series, 1923-1924) by speakers eminent in the missionary field. The discourses contain brief accounts of the history, the actual and prophetic state of the mission in many parts of the globe, and even aside from their missionary appeal (which of course is their primary *raison d'être*) are informative and interesting documents.

A theological tractate bearing the name of Professor Tixeront on its title-page will need no other endorsement as regards its doctrinal strength and historical erudition. This will be obvious to the student who takes in hand the recent "Etude de Théologie Historique" entitled *L'Ordre et les Ordinations*. The author lays no claim to an exhaustive treatment of his subject, but he has certainly given in a very clear method and style a succinct though withal comprehensive summary of the theology—as gathered from the history—of the hierarchy and the rites of ordination. The treatise has served the author in his professional work at the Faculty of Lyons and will therefore be available for similar purposes in our seminaries, as well as for private study by the clergy generally. (Paris: Lecoffre. Pp. 280).

Dr. John W. Basore, Associate Professor of Classics at Princeton University, conjointly with Dr. Shirly W. Weber, Assistant Professor of Classics at the same institution, has compiled a *Book of Latin Poetry* for the use of Freshmen classes. The selections are fairly representative of the Latin writers from Naevius onward, including some of the later Christian hymn-writers. Besides the heroic figures of Virgil, Horace, Ovid, and Phædrus, the stars of only slightly lesser magnitude, such as Lucretius, Catullus, Tibullus, Seneca, Martial, Juvenal, and others are represented by proportionate selections. The imperishable Christian classics, the *Stabat Mater*, the *Veni Creator*, the *Dies Irae* and the *Adeste Fideles* find a place.

As to what should and what should not be the constituents of an anthology there will of course always be a difference of opinion. It can hardly, therefore, be expected that all teachers of Latin will agree that the present compilation is the best both positively and negatively that could be made. On the other hand, there is likely to be a general consensus that the selections are on the whole judicious and typical. The editors have enhanced the value of the book by their table of metres and their annotations. An attractive feature is the extracts from the English (and occasionally French) poets that introduce the Latin selections. Teachers of the classics who prefer the policy of a general survey of Latin letters to the more intensive study of one or other author, such as Virgil, or Horace, will do well to examine the present anthology. The book is befittingly issued by Allyn & Bacon, New York (pp. 346).

The ability to tell stories to children, particularly to boys, is a natural gift conditioned by personal elements that are more easily felt than analyzed. Women frequently are more successful at the business than men. However, even a small share of the gift can grow into fair fruitage if cultivated by practice and attentive study of the best models. Amongst the latter, Jane Andrews's series hold a widely acknowledged place. New editions of the series are being issued in neat form by Ginn & Co., Boston, Mass. *Ten Boys who Lived on the Road from Long Ago to Now* is prominent on the list. The "boys" are selected as types of various times and nations. A bit of history and a bit of geography are interwoven so as to make an instructive background for the stories. Not every educator or story-teller would of course agree upon the value of all these types. But it is not

for the characters, the facts, the incidents that the booklet is here recommended, but simply for the interesting form and style of the narrative. Catholic teachers who utilize such models should have little difficulty in adapting them to the lives of Christian heroes who may be selected as ideals more appealing to imitation than Kablu, the Aryan boy, Darius, Cleon, Horatius, or Roger — who longed to sail the Spanish main—or even Ezekiel Fuller, the Puritan boy, or Jonathan Dawson, the Yankee boy, or Frank Wilson, the boy of 1885—however "red-blooded" these worthy lads may have been.

Had Herbert Spencer possessed the gift of supernatural faith, he might have been the Aquinas of the nineteenth century. His ambition was to construct a synthetic philosophy interpretative of the world of experience, in which system the acquisitions of the special sciences should be coördinated. He failed, because of his agnostic attitude toward fundamental truth, especially toward God, the Absolute, whom by an unconscious inconsequence he recognized as an existent and a necessary being and primary cause and nevertheless unknowable. Had his mind been enlightened by Divine revelation, he would have discerned not only this negative inconsequence but also the positive inconsequences that vitiate his Synthetic Philosophy.

Aside however from, and indeed by reason of, this irreparable deficiency, his mind was confused by the *disjected membra* of philosophies that had floated into his mind from his desultory reading. The methodical doubt of Descartes, the empiricism of Locke, the scepticism of Hume, the relativism of Mansel and Hamilton, the agnosticism of Kant, the positivism of Comte, the evolutionism of Darwin—all these conflicting speculations were inextricably woven into the tissue of Spencer's mind. The result could hardly have been other than confusion and uncertainty concerning absolute truth.

Many timely and interesting suggestions on the Spencerian Philosophy are contained in the academic Dissertation entitled *A Comparative Study of St. Thomas Aquinas and Herbert Spencer*, presented by Sister M. Fides Shepperson, M.A., of the Sisters of Mercy, to the Faculty of the Graduate School of the University of Pittsburgh in view of the Doctorate in Philosophy. The subject is well analyzed and lucidly set forth. The tone and treatment are dignified. While duly discriminative, the writer holds the balance of justice firmly and dispassionately. Seldom if ever did Herbert Spencer receive greater courtesy from his critics than is accorded him by this religious academician who is obliged by loyalty to Truth to oppose his avowed Agnosticism.

The May issue of the *Stimmen der Zeit* contains as usual an excellent selection of erudite discussions revealing the spiritual trend of Catholic life in Germany. *A Thousand Years of German Rhineland Culture*, by Fr. J. Grisar, S.J., seems to leave no room for argument in favor of a Rhineland republic separated from the Fatherland. An important paper for students of Biblical Chronology and believers in the inspiration of the Old Testament is that by Fr. X. Kugler, S.J., "Ratselhafte Riesenzahlen im Alten Testament", in which the writer solves the problem of what seems an exaggerated numerical presentation in the census lists of the Jewish people by showing that the numbers are of a twofold value, which makes them representative, while yet real. They count the men capable of bearing arms and thence conclude and state at once the figure of the people whose fifth part they represent. (B. Herder Book Co., St. Louis, Mo.; London and Freiburg, Brisg.)

The Catholic Hospital Association (Milwaukee, Wis.) prints a handy *The Patients' Book* (150 pp.) in which Fr. Garesché, S.J., offers the patient who can listen or read a series of "Thoughts of Cheer, Consolation, Encouragement and Information". To understand the hospital with its methods, personnel, advantages and cautions, is a decided help to the patient not only while under the care of the Sisters, doctors and nurses, but also

after leaving, in order to bring home the lessons God intends through sickness for the improvement of soul as well as of bodily health. It is a manual meant to be given the patient as a sort of keepsake, and carries with it the blessing of Catholic charity.

The monks of Mount Melleray in the Irish Diocese of Waterford and Lismore evidently keep close to their model, St. Bernard of Clairvaux, if the translation of his teachings for the benefit of English readers may be taken as an indication. The third volume of the *Sermons of St. Bernard for the Seasons and Principal Festivals of the Year* contains fifty-three discourses on the feasts of Our Lady (twelve) and the great Saints honored in the Order, to the members of which they were for the most part preached. There are also miscellaneous sermons on topics of the spiritual life addressed to religious or the Chapters of the monastery. The translator has supplied useful notes where the peculiar exegesis of the saint calls for them. A brief comment on St. Bernard's repeated citation of Daniel as "a man of desires" suggests the usefulness of a note to the effect that the translation of the Hebrew is more correctly given by "a man beloved" (desired), which changes the quality of his virtue from the particular one commented on through a mistaken meaning. (Browne and Nolan: Dublin.)

The *Doctrinal Discourses* for the Sundays and chief festivals of the Year, by the eminent Dominican preacher, Fr. A. M. Skelly, of Portland, furnish in their completed set of five volumes a rich treasury of religious thought for the pulpit and mission centres. The matter contained in the series covers the entire range of Catholic theology, its fundamentals, the object of man's creation, his redemption from the slavery of sin, the sacramental system with the opportunities of grace offered through the liturgical celebration of sacrifice and public prayer. The language is simple and the appeal direct. Hence the work will commend itself to the individual Catholic or cleric as a summary whence to draw religious perfection in spiritual reading. The publication is sold by the Dominican Sisters at Tacoma, Washington, and at Portland by the author, which suggests that the profits of the output are a return to charitable and educational upbuilding. (Holy Rosary Priory, Portland Oregon.)

Librarians and students of history and Christian Letters will account the *Index* volume of Janssen's *History of the German People after the Close of the Middle Ages,* just issued from the press, a precious addition to their store of source material. Those who have even cursorily glanced over the contents of the sixteen volumes of the English translation by Mrs. A. M. Christie can form some estimate of the immense amount of erudition shown in the gathering of first-hand information collected during a long life from the archives and historical storehouses of Europe, which throws new light on a most mysterious period of secular and ecclesiastical history. Over it all there hovers as a bright light the impartial and sane judgment shown by the learned historian in the presentation of the facts. But it is only in opening the Index volume that one begins to realize fully the value of the whole work from every conceivable point of view. A rough estimate indicates that there are over thirty thousand references grouped analytically and alphabetically arranged in clearly readable though closely lined type. The monumental character of Janssen's achievement is thus brought into relief and placed at the service of the teacher and the literary workman. (B. Herder Book Co., St. Louis, Mo.)

Father Herbert Lucas, S.J., has enlarged his book of discourses addressed to the boys of Stonyhurst during the school year 1903-4. Simultaneously with the new (fourth) edition of *The Morning of Life* the publishers issue a third impression of *At the Parting of the Ways,* which is a continuation of the course, for those in particular who are about to leave college. The series is excellently suited to its purpose, as a guiding manual to the young student. (B. Herder Book Co., St. Louis, Mo.)

Books Received

THEOLOGICAL AND DEVOTIONAL.

MEDIATRIX. Eine Mariologische Frage. Dogmatisch-Kritische Studie von Ferdinand Heinrich Schueth, S.J. Innsbruck: Marianischer Verlag; Agency for U. S. A.: The Rev. John Schueth, Sacred Heart Church, Schnellville, Ind. Pp. 354. Price, $1.75.

MANUAL OF MORAL THEOLOGY. For English-Speaking Countries. By the Rev. Thomas Slater, S.J. Vol. II. Fifth and revised edition. Benziger Brothers, New York, Cincinnati, Chicago. 1925. Pp. ix—352. Price, per vol., $4.50 *net.*

MASTER-IDEA OF ST. PAUL'S EPISTLES, or The Redemption. Study of Biblical Theology. By Rudolph G. Baudas, Doctor of Sacred Theology, University of Louvain. (Universitas Catholica Lovaniensis. Dissertationes ad gradum magistri in Facultate Theologica consequendum conscriptae, Series II, Tomus 13.) Desclée, de Brouwer & Co., Bruges. 1925. Pp. xxix—434.

JESUIT MARTYRS OF NORTH AMERICA. Isaac Jogues, John de Brébeuf, Gabriel Lalemant, Noel Chabanel, Anthony Daniel, Charles Garnier, René Goupil, John Lalande. By John J. Wynne, S.J. Universal Knowledge Foundation, New York. 1925. Pp. xi—247. Price, $1.50 *postpaid.*

IMMACULATE CONCEPTION. Teaching of St. Thomas, St. Bonaventure and Bl. J. Duns Scotus on Immaculate Conception of Blessed Virgin Mary. By Fr. Hugolinus Storff, O.F.M. Reply to Article, "St. Thomas and Immaculate Conception", *Homiletic Review,* Vol. 24, No. 3, December 1923. St. Francis Press, 340 Sansome St., San Francisco. 1925. Pp. 272. Price, $2.00 *postpaid.*

MANETE IN DILECTIONE MEA. Le Cœur de Jésus et le Prêtre. P. Téqui, Paris. 1925. Pp. 48. Prix, 1 *fr.* 30 *franco.*

LEBENSWEG UND LEBENSWERK. Ein modernes Prophetenleben. Von P. Albert Maria Weiss, O.P. B. Herder Book Co., Freiburg im Breisgau, St. Louis und London. S. 530. Preis, $2.75.

ANGELS—GOOD AND BAD. By the Rev. Frederick A. Houck, author of *Our Palace Wonderful,* etc. B. Herder Book Co., St. Louis and London. Pp. 141.

LES ÉLITES SOCIALES ET LE SACERDOCE. Par Henri Le Floch, S.Sp., Supérieur du Séminaire Français de Rome. P. Téqui, Paris. 1925. Pp. 42.

DE ECCLESIA. Tractatus Historico-Dogmatici. Tomus I: De Regno Dei—De Constitutione Ecclesiae. Hermannus Dieckmann, S.J. B. Herder Book Co., Friburgi, Brisg.; St. Louis et London. Pp. 553.

L'EPOUSE ATTRAIT DU FOYER. Par M. l'Abbé Charles Grimaud, ancien Professeur de Philosophie à l'Externat des Enfants-Nantais. Troisième édition. P. Téqui, Paris. 1925. Pp. vii—309. Prix, 7 *fr.* 50 *franco.*

DE L'ABANDON À MARIE. Par M. l'Abbé Henri Lanier, Chanoine honoraire de Paris. Deuxième édition. P. Téqui, Paris. 1925. Pp. 68. Prix, 1 *fr.* 20 *franco.*

ST. TERESA OF CHILD JESUS. Four Studies on Her Spiritual Life. By P. de Puniet, O.S.B.; M. V. Bernadot, O.P.; Fr. Jérôme de la Mère de Dieu, O.C.D.; and E. M. Lajeunie, O.P. Translated from French by Dominican of Heading-ton. Benziger Brothers, New York, Cincinnati, Chicago. 1925. Pp. ix—147. Price, $1.50 *net.*

LA BIENHEUREUSE THÉRÈSE DE L'ENFANT-JÉSUS et La Vie de Victime. Par M. l'Abbé Paulin Giloteaux. P. Téqui, Paris. 1925. Pp. x—204. Prix, 5 *fr.* 50 *franco.*

SAINT THÉRÈSE DE L'ENFANT JÉSUS. Physionomie Surnaturelle. Par M. l'Abbé Paulin Giloteaux. Préface de Son-Eminence le Cardinal Bourne. Cinquième édition. P. Téqui, Paris. 1925. Pp. xxi—213. Prix, 5 *fr.* 50 *franco.*

PANEGYRIQUE DE LA BIENHEUREUSE THÉRÈSE DE L'ENFANT JÉSUS. Prononcé a Saint-Jacques de Lisieux le 6 Auot 1923, Premier Jour du Triduum Solennel. Par le R.-P. Marie-Amand de Saint-Joseph, O.C.D., Vice Postulateur. P. Téqui, Paris. 1925. Pp. 37. Prix, 1 *fr.* 65 *franco.*

SAINT-SÉBASTIEN HORS LES MURS. La Basilique. Le Souvenir Apostolique. Le Cimetière ad Catacumbas. Par H. Chéramy, P.S.S., Professeur d'archéologie sacrée. Préface de Mgr. Batiffol. Bonne Presse, Paris. 1925, Pp. 87. Prix, 4 *fr.*

MONTHS AND DAYS, and The Mood and the Moral. By the Rev. J. Canon Guinan. Second edition, revised and enlarged. Catholic Truth Society of Ireland, Dublin. Pp. 180. Price, 3/6.

END OF THE WORLD AND MAN. By D. I. Lanslots, O.S.B. Frederick Pustet Co., New York and Cincinnati. 1925. Pp. 177. Price, $1.50 *net.*

DE INDULTO EXCLAUSTRATIONIS NECNON SAECULARIZATIONIS. Dissertatio Iudicio Facultatis Iuris Canonici submissa tamquam Scriptum Publici Periculi Experimentum ad Doctoratum in Iure Canonico obtinendum a Fr. Cyrillo Piontek, O.F.M., S.T.B., I.C.L., Filio Almi Commissariatus Pulaskiensis in Statu Wisconsin, U. S. A. Universitas Catholica, Washingtonii, D. C. 1925. Pp. xix—289.

SACRAMENTALS ACCORDING TO CODE OF CANON LAW. Dissertation submitted to Faculty of Canon Law in partial fulfilment of requirements for Degree of Doctor of Canon Law. By the Rev. John Linus Paschang, J.C.L., of Diocese of Omaha. Catholic University, Washington, D. C. 1925. Pp. 129.

RETREAT FOR NUNS. By the Rev. Walter Elliott, C.S.P. Apostolic Mission House, Brookland, D. C. 1925. Pp. vii—310. Price, $2.25 *postpaid.*

INTRODUCTION TO DEVOUT LIFE. By St. Francis de Sales. New translation by Allan Ross, priest of London Oratory. (*Orchard Books*—No. 5.) Benziger Brothers, New York, Cincinnati, Chicago. 1924. Pp. xxxv—310.

VIA FRANCISCANA ad Caelestem Hierusalem continens S. Regulam et Testamentum Seraphici Patris S. Francisci. Una cum Selectissimis Precibus, Rituale atque Benedictionale Franciscanis Viatoribus pro cotidiano usu accommodata. Editio secunda a Fr. Paulo a Cr. Laschan, O.F.M., Oeniponte. Ratisbonae, Romae, Neo-Eboraci et Cincinnati: Frederick Pustet Co. 1925. Pp. xl—479. Pretium, $1.25 (4 *R. M.* 50).

ST. MADELEINE-SOPHIE. Sketch of Her Intimate Life. By a Religious of the Sacred Heart. Longmans, Green & Co., New York, London, Toronto, Bombay, Calcutta, Madras. 1925. Pp. 32. Price, $0.10.

SAINTE LYDWINE DE SCHIEDAM (1380-1433). Par Hubert Meuffels, C.M. (" *Les Saints.*" Collection publiée sous la direction de M. Henri Joly, de l'Institut. J. Gabalda, Paris. 1925. Pp. 175. Prix, 4 *fr.* 50 *franco.*

SAINTE MARIE-MADELEINE DE PAZZI (1566-1607). Par M. M. Vaussard. (" *Les Saints.*" Collection publiée sous la direction de M. Henry Joly, de l'Institut.) J. Gabalda, Paris. 1925. Pp. 177. Prix, 4 *fr.* 50 *franco.*

LITTLE SAYINGS OF SAINTS. Chosen and edited by Anne Scannell O'Neill. B. Herder Book Co., St. Louis and London. 1925. Pp. 138. Price, $0.75.

LA SPIRITULITÉ CHRÉTIENNE. Par M. l'abbé P. Pourrat, Supérieur du Grand Séminaire de Lyon. III: Les Temps Modernes. Première Partie: De la Renaissance au Jansénisme. J. Gabalda, Paris. 1925. Pp. x—607. Prix, 18 *fr. franco.*

HIGHER LIFE. By Albert Muntsch, S.J., author of *Pilgrimage of Life*, etc. B. Herder Book Co., St. Louis and London. 1925. Pp. 291. Price, $1.75.

ST. BERNARD'S SERMONS FOR SEASONS AND PRINCIPAL FESTIVALS OF YEAR. Translated from original Latin by Priest of Mt. Melleray. Vol. III. Browne & Nolan, Dublin, Belfast, Cork and Waterford. 1925. Pp. 552. Price, 10/—.

TWELVE AND AFTER. Book of Teacher's Material for Religious Instruction of Older Children. By Editor of *The Sower*. Benziger Brothers, New York, Cincinnati, Chicago. 1925. Pp. xii—131. Price, $1.80 *net*.

PRETRE? POURQUOI PAS? Par M. l'Abbé Charles Grimaud, ancien Professeur de Philosophie à l'Externat des Enfants-Nantais. P. Téqui, Paris. 1925. Pp. viii—135. Prix, 3 *fr.* 85 *franco*.

SAINT THOMAS, "Guide de Etudes". Notes et Commentaires sur l'Encyclique "Studiorum Ducem" de S. S. Pie XI. Par L. Lavaud, Professeur de Philosophie au Grand Séminaire de La Rochelle. P. Téqui, Paris. 1925. Pp. viii—277. Prix, 8 *fr.* 25 *franco*.

LA SAINTE EUCHARISTIE. Le Sacrement et le Sacrifice. Par Jacques Gerber, S.J. Résumé de théologie morale. P. Téqui, Paris. 1925. Pp. vi—200. Prix, 5 *fr.* 50 *franco*.

LE RADICALISME DE SACRIFICE. Méditation. Par J.-B. Aubry, des Missions Etrangères. Quatrième édition. P. Téqui, Paris—6e. 1925. Pp. 60. Prix, 1 *fr.* 15 *franco*.

L'INTERCESSION DES SAINTS. Par le R. P. Marie-Joseph Gerlaud, des Frères Prêcheurs. P. Téqui, Paris. 1925. Pp. ix—106. Prix, 3 *fr.* 50 *franco*.

VOCATION VIRGINALE. Par J.-B. Aubry, Prêtre des Missions Etrangères. Deuxième édition. P. Téqui, Paris—VIe. 1925. Pp. viii—116. Prix, 2 *fr.* 25 *franco*.

LA VIE MERVEILLEUSE DE CURÉ D'ARS. Par Jacques d'Ars. Première édition. P. Lethielleux, Paris—VIe. 1925. Pp. xvi—149. Prix, 5 *fr.* 30 *franco*.

CONFÉRENCES SPIRITUELLES aux Religieuses de la Visitation d'Orleans. Par Mgr. Chapon, Évêque de Nice. Deuxième série. P. Téqui, Paris. 1925. Pp. vi—348. Prix, 8 *fr.* 50 *franco*.

LES PETITS CHINOIS ou La Sainte-Enfance au Vicariat de Nankin. Histoires vraies avec des illustrations. Par P. Gibert, S.J. P. Téqui, Paris. 1925. Pp. 95. Prix, 1 *fr.* 80 *franco*.

LE CATÉCHISME VÉCU À LOURDES. Lectures pour chaque jour du mois de Marie et du mois du Saint Rosaire avec le récit quotidien d'une guérison attribuée à Notre-Dame de Lourdes. Par E. Duplessy, du Chapitre de N.-D. de Paris, et Dr. A. Marchand, Président du Bureau des Constatations médicales. Lettre-Préface de S. G. Mgr. Schoepfer, Évêque de Tarbes et de Lourdes. P. Téqui, Paris. 1925. Pp. viii—264. Prix, 7 *fr.* 75 *franco*.

SAINT VINCENT DE PAUL, "Directeur de Conscience". Par M. l'Abbé Arnaud d'Agnel. Préface de M. François Verdier, Supérieur Général de la Congrégation de la Mission et des Filles de la Charité. P. Téqui, Paris. 1925. Pp. xii—386. Prix, 10 *fr.* 75 *franco*.

MASS STIPENDS. Dissertation submitted to Faculty of Canon Law in partial fulfillment of requirements for degree of Doctor of Canon Law. By the Rev. Charles Frederick Keller, S.T.B., J.C.L., of Archdiocese of Philadelphia. Catholic University, Washington, D. C. 1925. Pp. 167.

PHILOSOPHICAL.

STARTING-POINTS IN SOCIAL SCIENCE. By A. G. Keller, Ph.D., Professor of Science of Society in Yale University. Ginn & Co., Boston. 1925. Pp. v—183. Price, $1.60.